



# **JOURNAL**

OF

# THE SENATE

OF THE

# STATE OF GEORGIA,

AT THE

#### REGULAR SESSION

OF THE

# GENERAL ASSEMBLY,

At Atlanta, Wednesday, June 24, 1903.



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# JOURNAL.

SENATE CHAMBER, ATLANTA, GEORGIA,
Wednesday, June 24, 1903.

The Senate met in accordance with law and was called to order by Hon. Clark Howell, President of the Senate.

Prayer was offered by the Chaplain.

Upon the call of the roll the following members answered to their names:

Allen,	Hudson,	Roberts,
Atkinson,	Jordan,	Skelton,
Christie,	Lee.	Smith,
Clark,	Ledford,	Snead,
Clements,	Lewis.	Stevens.
Comas,	Mathews,	Sweat.
Crumbley,	McClure,	Symons.
Dodd,	McLean,	Taylor,
Davis.	McMichael,	Tisinger,
Duncan of 10th,	Merritt,	Turner,
Duncan of 36th.	Middlebrooks.	Van Buren.
Golden.	Moore,	Williams.
Harrell.	Park,	Worsham,
Hightower,	Perry,	Mr. President.
Hopkins,	Reid,	

The following is the certificate of the election of Hon. R. J. Williams as senator from the 16th District to succeed the late Senator Rountree:

GEORGIA. OFFICE OF THE SECRETARY OF STATE.

ATLANTA, April 3, 1903.

His Excellency, the Governor:

Sir:—I have the honor to report to you, for commission, as per the election return received and on file in this office, the following named person, to wit: For senator 16th District to fill unexpired term of Hon. C. S. Rountree, deceased. No. of District.

Counties.

Name.

Johnson, Hon. Robt. J. Williams, Emanual, Laurens.

Election held April 1, 1903.

PHILIP COOK, Secretary of State.

A vacancy having occurred by the death of Senator Rountree of the 16th District, Hon. R. J. Williams, having been elected to fill said vacancy, presented himself and took the oath of office administered by Associate Justice of Supreme Court W. H. Fish.

By unanimous consent the election of doorkeeper was made special order for 12 o'clock to-day

The following resolutions were read and adopted:

By Mr. Reid-

A resolution appointing a committee to notify the  ${\rm Gov}$ -ernor that the General Assembly is ready for business.

Committee on part of Senate are Senators Reid, Christie and Tisinger.

By Mr. Comas-

A resolution directing the Secretary of Senate to notify the House that Senate is ready for business.

On motion, Mr. Green was appointed doorkeeper temporarily.

The following Senate bill was read second time:

By Mr. Sweat-

A bill to amend an Act to provide for the holding of the several city courts by other city court judges.

The following House bill was read first time:

By Messrs. Howard and Hicks-

A bill to repeal the Act establishing the city court of Dublin in and for the county of Lowndes.

Referred to Special Judiciary Committee.

The following Senate bills were read first time:

By Mr. Comas-

A bill to create a board of roads and bridges for Appling county

Referred to Corporations Committee.

By Mr. Tisinger-

A bill to regulate the law of year's support.

Referred to General Judiciary Committee.

By Mr. Smith—

A bill to provide that all property without a lawful owner shall belong to the State.

Referred to General Judiciary Committee.

By Mr. Skelton--

A bill to provide for the payment of costs in civil cases in superior, city, county and justice courts.

Referred to General Judiciary Committee.

By Mr. Skelton--

A bill to authorize justices of the peace to change the time of holding their courts.

Referred to General Judiciary Committee.

By Mr. Skelton--

A bill to provide how marriage licenses shall be issued.

Referred to General Judiciary Committee.

By Mr. Skelton--

A bill to amend section 3761 of the Code of 1895.

Referred to General Judiciary Committee.

The following resolution was read and adopted:

By Mr. Mathews-

A resolution appointing a committee to prepare suitable

resolutions on the death of the late Senator Rountree. The committee is composed of Senators Mathews, Williams and Moore.

The following message was received from the House, through Mr. Boifeuillet, the Clerk thereof:

#### Mr. President:

I am instructed by the House to inform the Senate that the House has passed the following joint resolution in which the concurrence of the Senate is asked, to wit:

A resolution providing for the appointment of a joint committee to notify the Governor of the organization of the General Assembly and its readiness to receive any communication he may wish to transmit.

#### $Mr.\ President:$

The committee from the Senate, together with a similar committee from the House of Representatives, has, in compliance with instructions, notified his Excellency, the Governor, that the General Assembly has convened and is ready for the transaction of business.

The Governor will communicate with each branch of the General Assembly in writing.

REID,
CHRISTIE,
TISINGER,
Committee.

The following message was received from his Excellency, the Governor, through his Secretary, Mr. Hitch, to wit:

#### Mr. President:

I am directed by his Excellency, the Governor, to deliver to the Senate a communication in writing.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

#### Mr. President:

I am instructed by the House of Representatives to inform this branch of the General Assembly that the House has reconvened according to law and is now ready to proceed with the regular business of the session.

The following is the annual message of the Governor:

STATE OF GEORGIA,
EXECUTIVE OFFICE,
Atlanta, Ga., June 24, 1903.

### To the General Assembly:

It is a matter of congratulation that the people throughout the State have manifested, during the past year, satisfaction with the manner in which the various departments of government have performed their respective constitutional duties.

The Constitution makes it the duty of the Governor to "see that the laws are faithfully executed," but this can only be done with the cordial assistance and co-operation of the many State and county officials who are close to the citizen. It is a pleasure to acknowledge that these public servants have zealously and efficiently performed their important duties, in a spirit of moderation and courtesy, which has left no friction, but contributed to the harmony and contentment of a great and prosperous people.

Justice and right have been administered by our courts "freely without sale, fully without any denial, and speedily

without delay." Our judges have discharged their duties without respect to person and have done equal rights to the poor and the rich as prescribed by their oath of office, so that the judiciary has deserved and continues to receive the confidence of all the people.

The important measures adopted at your last session have been highly approved and commended, particularly those promising to equalize the burden of taxation and at the same time add materially to the State's income without unfairness to any interest. Under our system of tax returns it will, in all probability, be the first of September before we can know definitely the increase in taxable values which will result from the franchise law, but its administration has advanced sufficiently to justify the expectation of a substantial increase.

Many important measures were brought over from your session of last winter. As they are now pending and have received consideration by your committees, and in some cases by one of the branches of the General Assembly, I deem it unnecessary to discuss them in this communication. I wish, however, to urge again favorable consideration of the questions discussed in my message of November 8, 1902, upon which final action has not been taken, viz.: Limitation of the Tax Rate, Amendment to our Common School System, Agricultural Schools and Exemption of College Endowments. In addition to these questions, I desire to lay before you some matters that have presented themselves in the administration of the affairs of State since your adjournment last December, which are considered of sufficient interest to demand your attention:

### TAX EQUALIZERS.

The issues raised in connection with the efforts to collect the franchise tax again emphasize the necessity of devising some method for equalizing tax values. This matter has been frequently called to the attention of previous General Assemblies, by my predecessors, and in accordance with their recommendations a law of this nature was passed in 1891, which, without injustice, caused an increase of \$19,-000,000 in the returns for 1892, while the year following the repeal of the law there was a decrease of \$11,000,000 in the returns. There were certain objectionable features in that statute which could have been easily cured by amendment, and it is unfortunate that the entire Act should have been repealed instead of preserving those provisions which were wise and beneficial. The need of tax equalization grows with our increase in wealth and population. Our law for the return, valuation, assessment, arbitration and collection of taxes is substantially what it was when the Act of 1804 was passed, and when our population was 200,000, and the taxable values of the entire State were less than those in a single county of to-day. At that time the principal subjects of taxation were slaves and farming lands, and most of this property was on the eastern border of the State, where the soil and crops were nearly identical, and uninfluenced by proximity to manufacturing enterprises or great cities. All this has been changed: The population has increased 1,200 per cent, and we now have the varied crops of north, middle, south and west Georgia, with mountain land, rolling country, and a vast area of pine forests which are rapidly being converted into farms.

Not only do the soil and crops differ, but the value of the farming lands is influenced by nearness to market and proximity to railroads. Besides new forms of value have arisen. Factories, foundries, railroads, saw-mills, mines, bonds, and an indefinite variety of personal property have come into existence, yet there is no adequate method of determining what is in the State subject to taxation, nor any fixed standard for determining its value. It is well

known that land of practically the same productive capacity, and with almost identically the same improvement, is frequently returned by one owner at full price, and by the other at less than one-half. The fairer the taxpayer, the more onerous the burden. The State, in effect, offers a premium to him who shirks instead of to him who willingly and cheerfully complies with the spirit of the law. is wrong, unjust and inequitable, and can only be cured here, as it has been cured elsewhere, by the creation of County Boards authorized to examine returns, to see that omitted property is put on the books, and that property of the same kind and value is assessed and taxed alike. even this does not fully meet the difficulty, for what is true of two neighboring citizens, may be equally true of neighboring counties, or of those more remotely separated. Property worth a million dollars in one may be so returned, but property of an equally aggregate value in another county may be given in at half its value. Farming lands in one part of the State may be returned at one price, and in another at a very different price. Corporate property may be practically exempt in one part of the State, and highly valued, or valued at full price, in another. These discrepancies and inequalities are not only in violation of the spirit of the law, but they diminish the State's income at the expense of those who live in the jurisdiction where full returns are enforced. The evil can be speedily corrected by the establishment of a State Board, under whose administration not one dollar of unjust tax will be imposed, but where the unequal burden will be taken from the county and individual now paying too much, and distributed equally among those who are paying too little.

#### SCHOOL LANDS.

The Legislature passed an Act on December 15, 1818, reserving certain lots of land, to wit: Lots numbers 10

and 100 in each surveyor's district for the education of poor children. Many of these lots have never been disposed of by the State. As late as 1890, page 542 of the Acts of 1890-1, the Legislature again asserted the State's title to the lands reserved by the Act of 1818.

In pursuance of the duty imposed upon me by section 126, Volume 1 of the Code, to protect the State's interest wherever the same is in jeopardy, I conceived it to be my duty to have proceedings instituted so that these lots might be recovered and utilized for the purpose specified. An investigation of the condition of these lots resulted in showing that they were, practically without exception, adversely claimed to the State, and that it would require possibly 225 suits to recover them.

It is manifestly impossible for the Attorney-General to look in person after this litigation so widely scattered, and to give to the matter that personal attention its importance demands. I accordingly contracted in January, 1903, with Messrs. Haygood, Cheney and Cutts as special attorneys to assist the Attorney-General in the prosecution of the State's claims. The compensation agreed to be paid to the special attorneys was twenty-five per cent. of the net recovery. The contract is of file in this office. I am advised by the Attorney-General that there has already been recovered, and paid into the State Treasury, the net sum of \$1,669.46. The Attorney-General has also called my attention to the fact that there are some claimants to these lands, whose possession originated in good faith, and who have erected valuable improvements thereon. I have no doubt that some innocent people, in perfect good faith, have purchased these lots, giving value therefor. No prescription can, of course, run against the State, and until the State grants the land her title must remain paramount. I felt it my duty to recover these lands for the State, and while the day of accounting between the State and the

claimants has already been long deferred, it is better that the questions of difference should now be settled than later on, for the State would not be barred by lapse of time, and long occupation and use of these lands would result in loss and injury to other innocent purchasers.

In the course of this litigation no doubt cases will arise that will appeal strongly to equitable settlement and adjustment. I think should such cases arise, the State should act fairly and generously toward those who have been unwittingly imposed upon. To the end, therefore, that settlements may be had and the title quieted, wherever in good faith the present claimant has purchased and improved the State's land, legislation should be enacted providing for the submission of the questions of good faith and value to the jury of the vicinage, and where it is made to appear that the claimant purchased in good faith and has made valuable improvements thereon, that the State's right of recovery should be limited to the value of the land before the improvements were made.

In cases where suit has not yet been brought, I think, and so recommend, that it would be well to provide that the Governor may submit the questions of good faith and value to arbitration, where in his judgments the equities of the case require. It should be further provided that on the finding of the jury, in the first instance, or the award of the arbitrators, in the latter, that the Governor should be empowered, upon payment of the sum found, to renounce the State's title to such land.

### STATE CARE OF CONFEDERATE GRAVES

I deem it my duty to the memory of them of a past generation that vouchsafed so much to the people of to-day, to call your attention to the necessity for State care of the graves of Confederate heroes. Without seeking to take

from the Ladies' Memorial Associations of Georgia any part of the loving tributes which they annually pay to our noble band in gray, the State should give this endorsement to the valor and patriotism of the most glorious period in her history, and assume the small cost involved in the fitting care and appropriate marking of these consecrated mounds.

In order that this may be done, the General Assembly should provide for a Confederate Memorial Board, and for the acceptance of all deeds conveying title to the State in Confederate cemeteries, and then make suitable annual appropriations for the care and keeping of the same, leaving to the Ladies' Memorial Associations the tender charge of decoration, which belongs to them by the priority of consecrated devotion.

Under congressional legislation our people are called upon to contribute their pro rata of taxes to the care of the Federal graves. Out of our bounty we should be glad to assume practical custodianship of the graves of our own sons, who fought for the honor and glory of their State, and in this way show to the world that we intend to uphold the fair hands that have so long and uncomplainingly contributed, out of their impoverishment, towards keeping green the memory of Georgia's historic and patriotic dead.

To this end I recommend the passage of an Act on the line of the Awtry Act of 1897, so that the investigation therein contemplated may be made, and a report as to the condition of these cemeteries submitted before the next meeting of the General Assembly.

#### CRIMINAL INSANE.

There are between thirty and forty patients in the State Sanitarium belonging to that class usually referred to as criminal insane. The dictates of humanity, as well as the proper enforcement of the law, call for a complete separation of the innocent insane from the criminal insane. Several months since I had a conference with the superintendent relative to this matter, and requested him to present it to the Board of Trustees. This was done, and at the April meeting thereof the following resolutions were adopted and forwarded to me:

- "Whereas, The presence in the State Sanitarium of convicts and of criminals has an unfavorable moral effect upon the unfortunate persons for whose benefit the institution was established, and
- "Whereas, The custody of these classes of the insane creates an erroneous impression as to the character and purposes of the Sanitarium, and suggests to the public mind the idea of a place of confinement and of safe keeping for criminals, instead of a refuge for the liberal care and for the scientific treatment of mental diseases; and
- "Whereas, Insane convicts and insane criminals occupy the limited space in the Sanitarium at the expense of worthy applicants, and claim the attention of the medical officers and other employees which should be bestowed upon the innocent insane; therefore,
- "Resolved, That it is the sense of the Board of Trustees of the Georgia State Sanitarium that it will be to the best interests of the State and of the Sanitarium for suitable provision to be made for the proper care of insane convicts, and also of insane criminals, provided the court and jury committing such insane criminals so recommend, at the State Prison Farm, and that the Sanitarium be relieved of the duty of receiving and of maintaining these classes of insane persons.
- "Resolved, That a copy of these resolutions be forwarded to the Governor of this State, and that he be requested to bring the subject to the attention of the General Assembly of Georgia, with such recommendations as he may deem appropriate in the premises."

Suitable provision can be made for this class of unfortunates at an exceedingly small cost in proportion to the amount of good that may be accomplished, by authorizing the Prison Commission to erect, upon the Prison Farm near Milledgeville, a building to be used as the hospital for criminal insane. Such patients as may need the care

and attention of experts in insanity could be treated by the corps of physicians at the State Sanitarium, and the hospital, so far as concerns the treatment of the patients, could be placed under their watchcare.

Patients who come within the designation of criminal insane properly belong to two classes: First, those who become insane while serving a sentence in the penitentiary, or after conviction, and, second, those who commit crime, or are charged with the commission of crime, and become insane before conviction. All of the first class, without exception, should be sent to this Hospital, and the law should leave it within the discretion of the tribunal committing the last named class whether they should be sent to the State Sanitarium or to the Hospital for Criminal Insane.

#### MITCHELL STREET PAVING.

The noise occasioned by the travel over Mitchell street on the south side of the Capitol has always been a source of much annoyance to the Supreme Court, often interfering with the deliberations of the Court and the argument of cases. The following letter from the Judges of the Supreme Court sets forth the complaint and suggests a change in the pavement;

SUPREME COURT OF GEORGIA, Atlanta, June 3, 1903.

Hon. Joseph M. Terrell, Governor of Georgia, Atlanta, Ga.

DEAR SIR:—We desire to call your attention to the serious inconvenience that the Supreme Court suffers from the noise of vehicles passing over the rubble stones on Mitchell street. This morning this noise was so great at one time that counsel were compelled to suspend argument until the vehicles had passed. This happens often while argument is being heard, and similar noises interfere seri-

ously with the Court when in consultation; all work baving to be suspended until the vehicles have passed out of hearing distance. We have no doubt you have noticed this inconvenience yourself.

The noise would be greatly reduced if the character of the pavement were changed; and we would request that you call the attention of the General Assembly to the matter, with such suggestions as you see proper to make.

Yours very respectfully,

T. J. SIMMONS, C. J.
SAM'L LUMPKIN, P. J.
WM. H. FISH, A. J.
ANDREW J. COBB, A. J.
JOHN S. CANDLER, A. J.
J. R. LAMAR, A. J.

Upon the receipt of this letter I conferred with the authorities of the city of Atlanta and ascertained that the cost of paving Mitchell street with asphalt, for the block in front of the Capitol grounds, would be about \$5,600, of which amount the property owners would have to pay, under the city ordinance, about \$2,700, making the State's share approximately \$1,350.

I therefore recommend that the sum of \$1,350, or so much thereof as may be necessary, be appropriated for this purpose.

#### GEORGIA STATE TROOPS.

The reorganization of the military forces under an Act approved December 17, 1902, has been about completed, and the State Troops present a fine body of well equipped and well trained soldiery. Acting upon the recommendation of the Advisory Board, I have arranged, with the assistance of the Adjutant General of the State, for an encampment this summer of the five Regiments of Infantry

and the Regiment of Cavalry, at the expense of the United States Government. The instructors of these camps will be U. S. Army officers, and much valuable information in the detail work will be derived and the soldiers will receive practical training in their duties.

I have not been called upon to order out any of the troops to perform riot duty, but at the request of the civil authorities at Andersonville on May 30, the day set apart for decorating Federal graves, I ordered Company M, Fourth Infantry, to Andersonville for the purpose of policing the town.

On the 1st day of June a terrific storm passed through the city of Gainesville, killing and wounding several hundred people and destroying many homes and much property. The next day the Mayor notified me that guards were needed for the hospitals and to protect the property exposed to vandalism, and requested the use of Troop "F," First Cavalry, for that purpose. I ordered the Troop to report to the Mayor for such guard duty as he might direct. The Troop promptly responded to this call and remained on duty nine days.

## REPORTS OF PUBLIC INSTITUTIONS.

The reports from the various educational and eleemosynary institutions of the State will be placed before you, to which I invite your careful consideration. These reports are thoroughly exhaustive and bear unmistakable evidence of painstaking care in their preparation. While I commend to your careful consideration all the recommendations and suggestions contained in these reports, there are certain recommendations to which I specially invite your attention.

The Board of Visitors to the Academy for the Blind recommends that the present Academy site be sold, or ex-

changed for one affording more room for buildings, etc. The grounds are considered too small for the present needs of the Institution, and being centrally located in the city of Macon could, doubtless, be sold for a good price, or exchanged for property better suited to present requirements.

Some very important recommendations will be found in the report of the Board of Visitors to the School for the Deaf, at Cave Springs, the most important of which is that relating to the enlargement of the buildings, so as to comfortably provide for the inmates of the school. According to this report the capacity of the buildings is insufficient; there being fourteen white children crowded into one sleeping room, and twenty colored children in another room. This state of affairs, if allowed to continue, will very likely produce sickness and disease among the children, and should be carefully investigated. There are applications on file with the Superintendent for the admission of 25 more children, but for want of sufficient room they can not be admitted.

You will have before you the report of the Trustees of the State University and of the Board of Visitors to the University; the report of the Trustees of the School of Technology; the report of the Directors of the Georgia Normal and Industrial College; the report of the Trustees of the State Normal School; and the reports of such other public institutions as are not mentioned above. These reports contain much valuable information, and the recommendations made therein are of great importance, and I commend them to your thoughtful consideration.

#### OFFICIAL REPORTS.

You will also have before you reports from the various departments of the State government, all of which contain many interesting and valuable suggestions, and which, I

am sure, will receive at your hands the consideration to which they are entitled. Those of the Comptroller-General, State Treasurer, State School Commissioner, Adjutant-General, Attorney-General, Commissioner of Agriculture, Secretary of State, Prison Commission, Compiler of Records, State Librarian, Pension Commissioner, Keeper of Public Buildings, and other officers of the Executive Department, bear evidence of the fact that these faithful and efficient public servants have devoted themselves unselfishly to the interests of the State.

The State School Commissioner recommends that the law be amended so that the State Treasurer be authorized to transfer from the general fund to the school fund the sum of five hundred thousand dollars. Under the present law the State Treasurer can only transfer four hundred thousand dollars for this purpose, and the extra one hundred thousand dollars, in the opinion of the State School Commissioner, will enable him to pay the teachers during the first six months of the year one-half of the amount due them for the entire year, instead of two-fifths under present legislation. This amendment can be made without detriment to the State's interest, and I trust you may favorably consider same.

According to the report of the Keeper of Public Buildings there are certain other repairs needed around the capitol, such as repainting the walls in the Senate chamber and hall of the House of Representatives, laying new carpets, etc. He estimates that these repairs can be made for the sum of \$7,930.00, and after a full investigation, if you are of the opinion that such repairs are necessary, I recommend that a sufficient amount be appropriated with which to do the work.

As authorized by section 6 of the General Appropriation Act of 1902, which provides for the compilation of the Colonial, Revolutionary and Confederate Records of

Georgia, I beg to advise you that I appointed Hon. Allen D. Candler to compile these records, and that he entered upon the discharge of his duties on the first day of January of this year. You will have before you his report, and I trust you will carefully consider the recommendations made therein.

I also call your special attention to the recommendation of the Attorney-General looking to an amendment of the General Tax Act of 1902. In a case recently decided by the Supreme Court, viz.: Jones v. Stewart, at the present term, the Court by a majority opinion ruled that under the Tax Act of 1900, the exclusive remedy for the collection of a special occupation tax was by indictment and conviction. This opinion was rendered by three of the justices, while two dissented therefrom, holding that the method provided in said Act was merely cumulative and that the State could either, through its proper officer, issue an execution against the delinquent tax-payer, or could proceed criminally against such defaulter. The sixth judge did not preside because of providential reasons.

In the opinion of the Attorney-General this decision will greatly impede the collection of special occupation taxes, and he thinks, and recommends, that the Legislature should amend the General Tax Act of 1902, which is substantially on this point, the same as the General Tax Act of 1900, so as to make the remedy by indictment cumulative, giving to the State the right to proceed both upon execution issued by the proper officer upon information, as well as the right to prosecute for a violation of the Tax Act.

This recommendation, in my opinion, is wise and proper. To require the State to put in motion the machinery of the law in criminal courts before it can collect its revenue, would greatly multiply the difficulties, as well as endanger

the collection of the revenues of the State. I therefore concur in the recommendation of the Attorney-General and recommend legislation on the line indicated.

#### STATE'S FINANCES.

The State Treasurer has paid to the common school teachers all the money coming into the treasury which belongs to the school fund, and also the \$400,000 which he is authorized by law to transfer from the general to the school fund. These payments are not only larger, but were made much earlier in the year than formerly, and without borrowing any money for that purpose. In former years loans amounting to \$150,000 to \$200,000 have been necessary to enable the Treasurer to make these payments. be able to carry out the provisions of our school laws without borrowing any money whatever is most gratifying, as it shows that the condition of the State's finances has considerably improved. Indeed, it would not have been necessary to borrow any money whatever during the present year had the General Assembly convened in October instead of June. After conferring with the State Treasurer it was ascertained that the sum of \$65,000 would be needed to pay the expenses of this session of your body, and with his assistance I have arranged to borrow that sum for five months at two per cent. per annum, or five-sixths of one per cent. for the term, from the following banks in this State, viz.: Southern Bank at Savannah; Neal Loan & Banking Company and Fourth National Bank, Atlanta; Exchange Bank, Macon, and Third National Bank, Columbus. This loan, at such a remarkably low rate, demonstrates alike the high credit of the State and the excellent condition of the Georgia banks.

J. M. TERRELL,

Governor.

### APPENDIX A.

In accordance with the requirements of section 5815 of the Code, I herewith submit reports of all Reprieves, Commutations of Sentence, and Pardons granted by me.

#### PARDONS GRANTED BY THE GOVERNOR.

ORIE STEGALL.—Larceny after Trust. Superior Court of Fulton county, Fall term, 1901; sentence two years in the penitentiary. Defendant was a young white boy only fifteen years old and plead guilty to taking \$1.50 of his employer's money. He has served about twelve months. Pardon recommeded by the prosecutor and the Judge who tried him. Granted November 7, 1902.

WILLIAM WINDOM.—Burglary. Superior Court of Carroll county, December term, 1901; sentenced to one year in the penitentiary. Good conduct and ill health. Pardon recommended by the Judge and Solicitor and the Grand Jury, and by nine of the trial Jury. Granted November 13, 1902.

ROBERT S. TIGNER.—Embezzlem ent. Superior Court of Fulton County, Spring Term, 1902; sentenced to six months in jail. Made full restitution of the amount embezzled. Served three months and physician states that he is suffering with heart disease. Granted November 14, 1902.

NATHAN PORTER.—Gaming. City Court of Valdosta, January term, 1902; sentenced to twelve months. Served about nine months and suffered with consumption. Paid all costs and reimbursed the county for the expenses of his trial. Pardon recommended by the Superintendent of the Chaingang, Chairman of the County Commissioners and the Solicitor who prosecuted him. Granted November 15, 1902.

ALEX WEST.—Malicious Mischief. Superior Court of Randolph county, November term, 1901; sentenced to twelve months. Was convicted at the same time of selling whisky and sentenced to twelve months, which term he has fully served. Pardon urged by the trial Judge and Solicitor, the County Officers and a large number of good citizens. Granted November 15, 1902.

C. R. JORDAN.—Robbery. Superior Court of Bibb county, April term, 1901; sentenced to seven years. Was only twenty years old and appears to have acted under the influence of older associates. Granted November 18, 1902.

Spencer McCroskey.—Cattle Stealing. Superior Court of Franklin county, October term, 1901; sentenced to two years. Defendant was a weak-minded boy only seventeen years of age. His father paid \$25.00 for the cow and induced the boy to plead guilty with the understanding that he would be allowed to pay a small fine, which was agreed to by the Solicitor. This the Court refused to allow and sentenced him to two years, while the principal offender was only given a chaingang sentence. Has served more than a year. Pardon urged by the Solicitor and a large number of citizens. Granted November 21, 1902.

BEN H. WILLIAMS.—Manslaughter. Superior Court of Charlton county, April term, 1898; sentenced to ten years. In June, 1900, his sentence was commuted to five years, which he fully served with the exception of two days. Granted November 28, 1902.

DOLLY PRITCHARD.—Murder. Superior Court of Cherokee county, Fall term, 1900; sentenced to life imprisonment. Evidence circumstantial and some doubt as to her guilt. Pardon recommended by County Officers, Grand Jury which indicted her, the trial Jury, the presiding Judge, the Solicitor-General and several hundred citizens. Granted December 3, 1902.

CLARENCE HOYAL.—Larceny. City Criminal Court of At-

lanta, September term, 1902; sentenced to three months. Physician states that he has a disease that will likely prove fatal. He is confined to the hospital and unable to work. Granted December 8, 1902.

R. E. L. Young.—Burglary and Larceny from the House. Superior Court of Hall county, March term, 1901; sentenced to twelve months in each case. The two offenses were involved in the same transaction, and he has served out one sentence, and nearly served out the second. Good conduct and sufficient punishment. Granted December 8, 1902.

EMMA LYONS.—Assault to murder. Superior Court of Wilkes county, May term, 1902; sentenced to two years. She cut another negro woman with a knife, apparently without any intention to kill her. Clemency urged by ten of the trial Jurors and the presiding Judge on the ground of sufficient punishment. Granted December 8, 1902.

ROBERT TYRE.—Assault with Intent to Murder. Superior Court of Pierce county, May term; sentenced to five years. Prosecutor received no injury in the encounter and now asks for his pardon, as do also about seven hundred good citizens, the trial Judge and Jurors. Has served two years with good conduct. Granted December 10, 1902.

Lula Robinson.—Murder. Superior Court of Polk county, February term, 1899; sentenced to life imprisonment. While she was being carried to the penitentiary the train was wrecked and the guard who had her in charge rendered unconscious. Although she had every opportunity to escape, she remained and rendered great assistance to the wounded and suffering. Her conduct has been good and she has served more than three years. Pardon granted December 12, 1902.

JOHN JONES.—Murder. Superior Court of Chattooga county, March term, 1894; sentenced to life imprisonment. Evidence would have authorized a verdict of Manslaughter. Defendant

has served more than eight years, and his pardon is recommended by the Grand Jury which indicted him, the Jury that convicted him, County Officers and the Judge and Solicitor. Granted December 12, 1902.

Henry McDaniel.—Voluntary Manslaughter. Superior Court of Newton county, September term, 1897; sentenced to eight years. His son was convicted at the same time and sentenced to twelve years, and was pardoned June 28, 1901. Defendant is now eighty years of age and very feeble, and the Camp Physician says he cannot live but a short time. Granted December 19, 1902.

CARRIE SMITH.—Larceny. City Criminal Court of Atlanta, October term, 1902; sentenced to six months. Was convicted of stealing two plated spoons of small value. Has one child dependent on her and is now in a state of pregnancy. Clemency recommended by the Judge and Solicitor and City Officers Granted December 24, 1902.

HENRY RESPASS.—Stabbing. Superior Court of Schley county, April term, 1902; sentenced to twelve months. Has served most of his term and is now confined to his bed with dropsy. Granted January 6, 1903.

ARTHUR CHERRY.—Seduction. Superior Court of Stewart county, October term, 1900; sentenced to five years. He was convicted of seducing a negro woman of doubtful chastity. Clemency strongly recommended by two hundred good citizens. Granted January 6, 1903.

HASKELL WEBB.—Assault and Carrying Concealed Weapons. City Court of Clarkesville, February term, 1902; sentenced to twelve months in each case. Both offenses were committed in one transaction. He was trying to avoid a difficulty with prosecutor and shot at him while the prosecutor was advancing. Clemency urged by the Judge and Solicitor and a number of good citizens. Granted January 7, 1903.

J. C. Wren.—Assault. City Court of Floyd county, Fall term, 1902; sentenced to six months. Defendant was drunk when the crime was committed, and his pardon is urged by the prosecutor, Judge and Solicitor and a large number of citizens. Granted January 7, 1903.

William E. Edwards.—Forgery. Superior Court of Fulton county, January term, 1902; sentenced to two years. He forged the name of his cousin to a small check and was paying the money back when arrested. The offense was committed when he was in very destitute circumstances. Clemency urged by the prosecutor, Solicitor and the person whose name was forged. Granted January 7, 1903.

Peter Stephens.—Stealing a ride on a railroad car. County Court of Butts county, June term, 1902; sentenced to twelve months. Clemency recommeded by a number of good citizens, County Officers, the Judge and Solicitor and the local Counsel for the railroad. Granted January 12, 1903.

W S. Brown.—Murder. Superior Court of Talbot county. September term, 1898; sentenced to life imprisonment. Newly discovered evidence shows mitigating circumstances. Defendant is seventy years of age and dangerously diseased, and unable to work. Clemency urged by the Prison Officials, (340 good citizens, County Officials, trial Jurors and the trial Judge and Solicitor. Granted January 12, 1903.

Tobe Jones.—Arson. Superior Court of Randolph county, May term, 1897; sentenced to fifteen years. Convicted principally on a confession claimed to have been made to a professional mind-reader. Prosecutor doubts the evidence and now asks for clemency, as do also the Solicitor-General and a number of good citizens. Served with good conduct for more than five years. Granted January 7, 1903.

CHAS. BURKHALTER.—Murder. Superior Court of Marion county, April term, 1884; sentenced to life imprisonment. De-

fendant killed a man who had seduced his wife and had taken her away from him. He has served more than eighteen years and his release is urged by the Judge and Solicitor and a large number of citizens. Granted January 13, 1903.

FRED FARRIS.—Stabbing. Superior Court of Fulton county, October term, 1901; sentenced to twelve months in chaingang and twelve months in jail. Has fully served his chaingang sentence and clemency is urged by the Ordinary, Sheriff, Clerk, Solicitor-General and others. Granted January 13, 1903.

SAM BASSETT—Larceny after Trust. Superior Court of Oconee county, January term, 1902; sentenced to twelve months. Convicted of using \$1.50 of the prosecutor's money. Clemency recommended by the Solicitor. Granted January 13, 1903.

Henry Nimmons.—Burglary. Superior Court of Coweta county, March term, 1899; sentenced to six years. Principal witness against him now says that he was mistaken as to the facts. Has served over three years and elemency is recommended by the Judge, Solicitor, Prosecutor and others. Granted January 13, 1903.

NIM KERCE.—Murder. Superior Court of Worth county. April term, 1893; sentenced to life imprisonment. Convicted on circumstantial evidence and the principal witness against him has since been successfully impeached. Clemency urged by the Judge and Solicitor, Grand Jury, County Officers and others Granted January 13, 1903.

George Grant.—Murder. Superior Court of Baldwin county, January term, 1892; sentenced to life imprisonment. The killing took place in a general riot at a negro festival, and there was considerable conflict in the evidence as to who fired the fatal shot. Has served more than ten years and elemency is recommended by six of the trial Jurors, many good citizens and the Solicitor-General. Granted January 15, 1903.

PITTS HIGHTOWER.—Pointing a Gun at Another. County Court of Butts county, September term, 1902; sentenced to twelve months. Physician certifies that he now has scrofula, which threatens the loss of his eyesight if longer confined. Clemency urged by the trial Judge and Solicitor. Granted January 16, 1903.

Dude Cook.—Carrying Concealed Weapons to a church. Superior Court of Butts county, August term, 1902; sentenced to eight months or a fine of \$60.00. Served about four months and now afflicted with a loathsome disease. Camp Physician recommends his release. Granted January 16, 1903.

A. C. FRYE.—Assault to Rape. Superior Court of Chattooga county, March term, 1901; sentenced to ten years. The principal witness against him testified that he only caressed her, and there is doubt as to his intention to commit rape. Clemency recommended by County Officers and many good citizens, and by ten trial Jurors. Granted January 16, 1903.

John McGough.—Voluntary Manslaughter. Superior Court of Muscogee county, November term, 1900; sentenced to fourteen years. Is afflicted with tuberculosis and heart disease. Clemency recommended by County Officers and many citizens. Granted February 9, 1903.

John Rutherford.—Larceny. Superior Court of Monroe county, October term, 1902; sentenced to twelve months. Is badly afflicted and unable to work. Clemency urged by County Commissioners. Granted February 9, 1903.

George Austin.—Rape. Superior Court of Gwinnett county, September term, 1898; sentenced to ten years. He was convicted of raping a negro woman, and it has since been shown that she swore falsely. Clemency recommended by nine Jurors and many reputable citizens. Granted February 9, 1903.

JOHN WESTMORELA: - Larceny. City Criminal Court of

Atlanta, November term, 1902; sentenced to six months. Defendant was a small boy only fifteen years old and the article stolen was a book of small value. Clemency recommended by the Judge, Solicitor and Prosecutor. He has served three months. Granted February 9, 1903.

W H. Wester.—Violating the Sabbath. Superior Court of Pulaski county, September term, 1902, sentenced to twelve months. He sold goods from his store to the amount of fifty cents, at the request of the purchasers and for their accommodation. His release is urged by one hundred and fifty citizens of the county and by the trial Judge and Jurors. Granted February 9, 1903.

WILLIE M. JOHNSON.—Larceny. Criminal City Court of Atlanta, October term, 1902; sentenced to eighteen months. Defendant is a woman, and the Camp Physician certifies that she is in an advanced state of pregnacy and should be released. Clemency recommended by the trial Judge and Solicitor. Granted February 9, 1903.

Will Evans.—Voluntary Manslaughter. Superior Court of Hall county, November term, 1900; sentenced to seven years. It appears that the deceased was the aggressor in the difficulty, having knocked down the defendant with a pair of knucks and badly beat him over the head and face. At the time of the killing defendant claims that deceased was attempting to draw a pistol. Clemency recommended by the Foreman of the Grand Jury, ten of the trial Jurors, several County Officers and the Judge who presided. Granted November 4, 1902.

PINK DILL.—Voluntary manslaughter. Superior Court of Habersham county, September term, 1895; sentenced to ten years. Killing occurred in a drunken row in which it appears that the deceased was the aggressor and was advancing on defendant with a knife. Clemency urged by the Prosecuting Officer, trial Judge and Jury, the Grand Jury which indicted him, County Officers and many citizens. Granted March 9, 1903.

JOHN FOWLER.—Murder. Superior Court of Rabun county, 1902; sentenced to life imprisonment. His brothers were convicted of the same offense and sentenced to terms in the penitentiary, from which they have been discharged. Deceased died some time after the difficulty from imprudence at a country dance. Clemency urged by the trial Judge, Solicitor and Jury, the Grand Jury which indicted him, County Officers of Rabun and Walker counties and a large number of citizens. Granted March 9, 1903.

J. H. WILKINS.—Larceny after Trust. Superior Court of Fulton county, fall term, 1900; sentenced to three years. His previous character is shown to have been good, and this offense was committed while he was a victim of the morphine habit. Since his imprisonment he has been cured of the morphine habit and he has served all but three weeks of his sentence. Granted April 7, 1903.

JIM WEISINGER.—Carrying Concealed Weapons. City Criminal Court of Atlanta, July term, 1902; sentenced to eight months. Pending his trial he remained twelve months in jail, which is thought to be sufficient punishment. Clemency recommended by the Judge and Solicitor. Granted April 13, 1903.

WILLIAM MOLAND.—Simple Larceny. City Criminal Court of Atlanta, December term, 1902; sentenced to twelve months or a fine of \$50.00. Defendant was only ten years old when the crime was committed and has served more than four months which is thought to be sufficient punishment. The article stolen was a chicken. Clemency recommended by the trial Judge and the Solicitor. Granted April 13, 1903.

ED CRAWFORD.—Simple Larceny. Superior Court of Bibb county, Fall term, 1895; sentenced to fifteen years. He has served with good conduct for more than eight years and it is thought that his punishment has been sufficient. Clemency recommended by the trial Judge, Solicitor and Jury, County Officers and others. Granted April 13, 1903.

ARTHUR HALL.—Simple Larceny. City Court of Montgomery county, 1902; sentenced to nine months. He is suffering from a chronic disease and is unable to work, has served several months in jail and further confinement might prove fatal. Clemency urged by the Judge, Solicitor, Grand Jury and County Officers. Granted May 11, 1903.

JOHN PRICE.—Misdemeanor. Superior Court of Rockdale county, October term, 1902; sentenced to twelve months. He came to the rescue of a Guard who had been assaulted by a desperate convict and prevented an escape. Granted May 11, 1903.

Rose Henderson.—Murder. Superior Court of Lumpkin county, July term, 1879; sentenced to life imprisonment. She was convicted of Infanticide on circumstantial evidence, Has served twenty-three years with good conduct; is now an old woman, and it is thought her punishment has been sufficient. Granted May 11, 1903.

George Rucker.—Assault and Battery. Superior Court of Elbert county, September term, 1902; sentenced to twelve months. County Commissioners certify that his health has failed and further confinement may prove fatal. Granted May 11, 1903.

Horace Curtis.—Burglary. Superior Court of Gordon county, August term, 1902; sentenced to twelve months. The Judge and Solicitor-General say that in view of his age and mental infirmities he has suffered sufficient punishment. Granted May 11, 1903.

Frank Swain.—Murder. Superior Court of Union county, May term, 1890; sentenced to life imprisonment. He was convicted on circumstantial evidence and the Judge before whom he was tried and many good citizens have grave doubts as to his guilt. Has served with good conduct for more than thirteen years. Granted May 11, 1903.

JOSEPH WAYNE. - Murder. Superior Court of Cherokee

county, September term, 1898; sentenced to life imprisonment The killing was done in a sudden heat of passion under mitigating circumstances. His health has failed and clemency is urged by County Officials, Grand Jury, trial Jury and many citizens. Granted May 12, 1903.

- O. W CHESTNUTT.—Robbery. Superior Court of Bibb county, April term, 1901; sentenced to seven years. His accomplice has been released, and it appears that defendant was not the principal perpetrator of the crime. Has served with good conduct. Granted May 12, 1903.
- E. F Davis.—Voluntary Manslaughter. Superior Court of Laurens county, July term, 1901; sentenced to five years. Was jointly indicted with three others, and it now appears that defendant was acting in the capacity of peacemaker. Clemency recommended by County Officers, the trial Jury and Solicitor and many citizens. Granted May 13, 1903.

LUKE ADAMS.—Voluntary Manslaughter. Superior Court of Newton county, March term, 1897; sentenced to twelve years. Newly discovered evidence creates grave doubts as to his guilt. Clemency recommended by the trial Judge and Solicitor. Granted May 13, 1903.

Leila Burgess.—Murder. Superior Court of Franklin county, September term, 1884; sentenced to life imprisonment. Defendant was only fourteen years old when the crime was committed. Her father had given her a severe whipping with an ox whip, and when her mother interfered in her behalf the father made an assault on her, and the defendant struck her father with an ax in order to protect her mother. She has served more than eighteen years. Granted May 13, 1903.

#### SENTENCES COMMUTED.

WILLIAM WINTER.—Selling Whisky Illegally County Court of Newton county, April term, 1902; sentenced to pay a fine of

875.00 or twelve months. Has served eight months and now desires to pay a proper proportion of his original fine. Sentence commuted to a fine of \$40.00 December, 19, 1902.

John T. Bright.—Carrying a Gun to a Court of Justice. Superior Court of Montgomery county, October term, 1902; sentenced to six months in jail. The crime was committed while in a state of protracted drunkenness and he was considered mentally irresponsible. He has served a portion of his term with good conduct. Sentence commuted to a fine of \$30.00 on recommendation of the Judge who tried him and County Officials, January 6, 1903.

DAVE MURRAY.—Assault to Rape. Superior Court of Macon county, November term, 1896; sentenced to fifteen years. The negro woman who was assaulted is shown to have been of loose character and unreliable. Clemency is urged by one hundred and fifty good citizens of Macon county, by the trial Jurors and the Prosecuting Attorney. He has already served six years with good conduct. Sentence commuted to eight years, January 15, 1903.

ROBERT KNIGHT AND WELCOME GOLDING,—Voluntary Manslaughter and Murder. Superior Court of Ware county, February term, 1892; sentenced to twenty years and life imprison ment, respectively. Defendants were defending themselves in a house against a violent attack by several persons at the time the shooting occurred. Clemency is recommended by the Judge who tried them, the Grand Jury which indicted them, trial jurors, and by County Officials. Sentences commuted to sixteen years, January 15, 1903.

ALLEN HARDAWAY.—Murder. Superior Court of Spalding county, August term, 1894; sentenced to life imprisonment The Judge and Solicitor who tried him say that the defendant was guilty of Voluntary Manslaughter, and that his punishment has been sufficient. Sentence commuted to ten years, January 15, 1903.

A. T. Dasher.—Simple Larceny Superior Court of Lowndes county, November term, 1902; sentenced to three years in the penitentiary. The defendant was charged with stealing a cow, which he claimed was his own, and it is doubtful whether he intended to commit a crime. Clemency is recommended by the Judge, prosecutor, County Officers, Grand Jury, trial jury and many good citizens. Sentence commuted to a fine of \$200.00, February 6, 1903.

ALBERT FLOYD.—Murder. Superior Court of Calhoun county, spring term, 1899; sentenced to life imprisonment. This negro, finding his wife in bed with another negro, fired into the party and killed his wife, while the man escaped. He has served fourteen years and elemency is urged by County Officials, the Judge and Solicitor who tried him, and many reputable citizens. Sentence commuted to twenty years, February 9, 1903.

AB ELDER, JR.—Riot. Superior Court of Haralson county July term, 1902; sentenced to twelve months. Three others were convicted at the same time of the same offense and sentenced to pay costs, and this defendant now desires to have his sentence commuted to that of his associates, which is recommended by County Officers and a number of good citizens. Sentence commuted to payment of cost, March 9, 1903.

- F P Wilkins.—Carrying Concealed Weapons. City Court of Barnesville, January term, 1903; sentenced to twelve months. The Judge and Solicitor who tried him recommend that he be allowed to pay a fine. Sentence commuted to pay a fine of twenty-five dollars including costs, April 7, 1903.
- W T. SMITH.—Attempt to Commit Forgery Superior Court of Bibb county, Spring term, 1903; sentenced to pay a fine of \$200.00 or twelve months, and two months in jail. He forged the name of a friend to a note who had endorsed for him before but the note was refused by the bank. His previous character was good and this was his first offense. The Superintendent of the State Sanitarium and the resident physician of

Allen's Invalid Home at Milledgeville state that by reason of chronic alcoholism he was mentally irresponsible when the crime was committed. He has served his jail sentence. Sentence commuted to jail sentence and payment of costs, April 15, 1903.

JEROME TOLBERT.—Murder. Superior Court of Oconee county, January term, 1903 sentenced to be executed. Facts have been brought out since the trial which induce the Judge who presided, the Jury who found the verdict and about two hundred and seventy-five good citizens to earnestly petition for clemency. Deceased was a man of bad character, while defendant's previous character was good. Sentence commuted to life imprisonment April 23, 1903.

Zell Bacon.—Voluntary Manslaughter. Superior Court of Tatnall county, April term, 1899, sentenced to eight years in the penitentiary. Under the evidence the Jury would have been authorized in acquitting the defendant. The provocation given by deceased, who was a violent and dangerous man, being extreme, the trial Judge and Solicitor both urge elemency and state that this was a close case, which recommendation is joined in by the Jury which tried him, County Officers, Prison Officials and many good citizens. Sentence commuted to five years, May 11, 1903.

#### RESPITES.

Goldie Tyus.—Murder. Superior Court of Thomas county, Fall term, 1902; sentenced to be executed on November 28, 1902. Respite granted at the request of the Judge of the Superior Court for the reason that Tyus was a material witness in the case of the State vs John Walker, which case could not be tried until after the date fixed for the execution. Respited until December 12, 1902.

MILLARD LEE.—Murder. Superior Court of Fulton county, Fall term, 1902; sentenced to be executed. Respite granted

until January 23, 1903, until the question of his sanity could be passed upon by the Courts. Lee again respited until February 27, 1903, for the reasons above set forth. On February 16, 1903, he was again respited until May 1, 1903, for the same reasons. On April 29, 1903 another respite was granted until June 12, 1903, and on June 10, 1903, he was again respited until July 31, 1903, for the reason that said case was still pending in the Courts and could not be determined before the day fixed for the execution.

JEROME COLBER.T—Murder. Superior Court of Oconee county, January term, 1903; sentenced to be executed on March 26, 1903. Respited until April 24, 1903, in order that the Prison Commission might have sufficient time to consider his application for a commutation of sentence.

John Perry.—Murder. Superior Court of Whitfield county, October term, 1902; sentenced to be executed on the 3d day of April, 1903. Respited until May 1, 1903, in order that the Executive might have sufficient time within which to pass upon his application for a commutation of sentence, and for the further reason that on the day fixed for the execution there was to be a fireman's tournament and street carnival in the city of Dalton. On April 30, 1903, a second respite was granted to the said John Perry until May 15, 1903, in order that an extraordinary motion for a new trial might be passed upon by the Judge of the Superior Court.

Monroe Adams.—Murder. Superior Court of Sumter county, November term, 1902; sentenced to be executed April 22, 1903. Respited until May 15, 1903, in order that Counsel for defendant might have an opportunity to be heard before the Prison Commission on an application for commutation of sentence.

#### REMOVAL OF DISABILITIES.

BARNETT DILLINGHAM.—Larceny. Superior Court of Gilmer county, May term, 1893; sentenced to pay a fine of fifty dollars. He paid the fine and has since that time been a good, law abiding citizen. Granted November 15, 1902.

Walter Glenn.—Larceny from the House. Superior Court of Stewart county; sentenced to twelve months. Served out his term and has since been a good citizen. Granted December 8, 1902.

FRANK M. JACKSON.—Larceny from the House. City Criminal Court of Atlanta, Spring term, 1893; sentenced to four months. Since serving out his term he has established for himself a good name and is a good citizen. Granted December 12, 1902.

RUPERT AMMONS.—Larceny after Trust. Superior Court of Glynn county, May term, 1898; sentenced to a fine, which he paid. Has since been a good citizen, which is certified to by the trial Judge and a large number of citizens. Granted January 13, 1903.

- S. J. O'NEAL.—Voluntary Manslaughter. Superior Court of Chatham county, December term, 1896; sentenced to fifteen years, which was commuted to six years. Served out his term and has since been a good citizen. Granted January 13, 1903.
- W F. Sullivan.—Voluntary Manslaughter. Superior Court of Chatham county, December term, 1896; sentenced to fifteen years, which was commuted to six years. Served out his term and it is shown by reputable citizens that he has since been a good citizen. Granted January 13, 1903.

WILLIAM COLE.—Larceny. County Court of Thomas county, January term, 1893; served out the sentence of the Court and has since been an industrious, law-abiding citizen. Granted January 19, 1903.

W. C. McLane,—Larceny after Trust. Superior Court of Fulton county, July term, 1902; sentenced to three months in jail and a fine of \$500.00. He served his jail sentence and paid his fine, and clemency urged by the Judge, Solicitor and Sheriff of Fulton county. Has since been a law-abiding citizen. Granted February 9, 1903.

The invitation from the citizens of Griffin to attend a barbecue at the State encampment on next Saturday was accepted.

Senator Williams was added to the following committees: Agriculture, Education and Public Schools, General Judiciary, Special Judiciary, Penitentiary, Railroads, State Sanitarium.

On motion, the Senate will convene at 10 o'clock and adjourn at one hereafter.

On motion, the Senate will stand adjourned from Friday until Monday morning at 11 o'clock.

Leave of absence was granted Senators Middlebrooks and Crumbly.

The hour of 12 o'clock having arrived the election of doorkeeper was taken up, whereupon Senator Skelton placed in nomination Mr. J. W Green of Habersham, which was seconded by several.

Mr. Atkinson placed in nomination Mr. Jas. H. Land of Butts county, which was seconded by several. There being no other nominations, the roll was called and the vote was as follows:

# Those voting for Mr. Green:

McClure, Skelton, Allen, McLean, Smith, Christie, Clark, McMichael, Snead. Merritt, Stevens, Davis, Moore, Sweat, Duncan of 10th, Symons, Perry, Hudson, Mr. President, Ledford, Reid, Roberts, Lewis.

# Those voting for Mr Land:

Hopkins, Taylor, Atkinson, Tisinger, Jordan, Dodd, Turner, Lee. Duncan of 36th, Van Buren, Mathews, Golden, Williams, Middlebrooks, Harrell, Worsham, Park, Hightower,

# Those not voting:

Clements, Comas, Crumbley,

Upon casting up the vote it appeared that Mr. Green had received 23 votes and Mr. Land had received 18 votes. Mr. Green having received a majority of all the votes cast, was elected doorkeeper for the unexpired term.

On motion, the Senate adjourned until to-morrow morning at 10 o'clock.

# SENATE CHAMBER, ATLANTA, GEORGIA,

Thursday, June 25, 1903.

The Senate met pursuant to adjournment at 10 o'clock; was called to order by the President.

Prayer was offered by the Chaplain.

Upon the call of 'the roll the following members answered to their names:

Allen, Hudson, Roberts. Jordan, Atkinson, Skelton, Christie, Lee. Smith, Clark, Ledford, Snead, Clements. Lewis. Stevens. Comas, Mathews, Sweat, Dodd, McClure, Symons, Davis, McLean, Taylor, Duncan of 10th, McMichael, Tisinger, Duncan of 36th, Merritt, Turner, Golden, Moore, Van Buren, Harrell, Park, Williams. Hightower, Perry, Worsham, Hopkins, Reid, Mr. President,

Those absent were Messrs.—

Crumbley, Middlebrooks,

The Journal of yesterday was read and approved.

The following message was received from his Excellency, the Governor, through his Secretary, Mr. Blackburn, to wit:

#### Mr President:

I am directed by his Excellency, the Governor, to de-

liver to the Senate a sealed communication, to which he respectfully invites the consideration of your honorable body in executive session.

The following special order was taken up, which is-

A bill by Mr. Kelly to revise the election laws of this State.

On motion, the special order was displaced and referred to the General Judiciary Committee.

The following special order was displaced and referred to the Committee on Agriculture:

## By Mr. Golden-

A bill to prohibit the sale of cotton futures in this State.

The following Senate bills were read first time:

# By Mr. Comas-

A bill to amend section 4082 of the Code relative to justice of peace compensation.

Referred to General Judiciary Committee.

# By Mr. Skelton-

A bill providing for the collection of the revenue of the State arising under special occupation and license taxes by issuing execution thereon.

Referred to General Judiciary Committee.

The following Senate bill was read third time to be put upon its passage:

By Mr. Sweat—

A bill to provide for the holding of the several city courts of this State by the various city court judges.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 28, nays 0.

The bill having received the requisite constitutional majority was passed.

At 10:40 o'clock the Senate went into executive session.

By unanimous consent the following Senate bill was read second time and referred to the General Judiciary Committee.

By Mr. Comas-

A bill to create a board of roads and bridges for Appling county.

By unanimous consent the following House bill was read second time and recommitted to the General Judiciary Committee.

By Messrs. Thompson and Rogers-

A bill to amend the Act establishing the city court of Hall county.

By unanimous consent, next Tuesday at 11 o'clock the Senate will receive the resolutions on the death of the late Senators Sullivan and Rountree.

On motion, the Senate adjourned until to-morrow morning at 10 o'clock.

# SENATE CHAMBER, ATLANTA GEORGIA, Friday, June 26, 1903.

The Senate met pursuant to adjournment at 10 o'clock, and was called to order by the President.

Prayer was offered by the Chaplain.

Upon the call of the roll the following members answered to their names:

Allen, Hudson, Roberts, Atkinson, Jordan, Skelton, Christie, Lee. Smith, Clark, Ledford, Snead, Clements, Lewis. Stevens, Comas. Mathews, Sweat, Dodd, McClure, Symons, Davis, McLean, Taylor, Duncan of 10th, McMichael, Tisinger, Duncan of 36th, Merritt, Turner, Golden, Moore, Van Buren, Harrell, Park, Williams, Hightower, Perry, Worsham. Hopkins, Reid, Mr. President,

Those absent were Messrs.—

Crumbley, Middlebrooks,

The Journal of yesterday was read and approved.

Mr. Duncan, chairman of the Committee on Engrossing, submitted the following report:

#### Mr. President:

The Committee on Engrossing has examined the follow-

ing bill, which it finds correctly engrossed and ready for transmission to the House:

A bill to amend Act, approved December 21, 1899, entitled "an Act to provide for the holding of the several city courts in this State by the various city court judges thereof, and for other purposes.

Respectfully submitted.

A. B. Duncan, Chairman.

Mr. Tisinger, chairman of the Special Judiciary Committee, submitted the following report:

Mr. President:

The Special Judiciary Committee has had under consideration the following House bill, which it instructs me to report with the recommendation that it do pass:

A bill to increase the authority of the recorders' courts in certain cities in regard to minors.

Respectfully submitted.

B. L. TISINGER, Chairman.

Leaves of absence was granted Senators Jordan and Mc-Michael.

The following Senate bills were read first time:

By Mr. Comas—

A bill to amend article 6, section 7, paragraph 2 of the Constitution relative to justice of the peace.

Referred to Constitutional Amendments Committee.

By Mr. Van Buren-

A bill to amend section 2171 of volume 2 of the Code relative to the change of routes of railroad.

Referred to Railroad Committee.

By Mr. Howell-

A bill to amend section 2166 of the Code.

Referred to General Judiciary Committee.

By Mr. Howell-

A bill to authorize the Marietta Sewerage Company to occupy certain streets in the city of Marietta.

Referred to Corporation Committee.

By Mr. Howell-

A resolution to ratify the action of the mayor and council of Marietta in closing Hansell street.

Referred to General Judiciary Committee.

The following House bill was read first time:

By Mr. Gaulden—

A bill to fix the license for retailing liquors in Brooks county

Referred to Temperance Committee.

The following House bill was read third time and put upon its passage:

By Mr. Houston-

A bill to increase the authority of the recorder's court in certain cases in regard to minors.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 30, nays 0.

The bill having received the requisite constitutional majority was passed.

One hundred copies of Senate bill No. 22 were ordered printed for the Senate, and this bill was made special order for Thursday, July 12, 1903, after the reading of the Journal.

Mr. Perry, chairman of the General Judiciary Committee, submitted the following report:

## Mr. President:

The General Judiciary Committee has had under consideration the following bills of the Senate, which I am instructed to report back with the recommendation that they do pass.

By Mr. Tisinger, 25th-

A bill to regulate the law of year's support.

By Mr. Skelton, 31st-

A bill to provide for the collection of the revenue of the State arising under special occupation and license taxes, by issuing execution therefor, and for other purposes.

Also, that the following bill of the Senate do not pass:

By Mr. Golden, 38th-

A bill to require manufacturers of shoes to have stamped on the bottom of each pair the material out of which each pair is made before offering same for sale, and for other purposes.

Respectfully submitted.

H. H. PERRY, Chairman.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

Mr. President:

The House has adopted the following resolution, in which the concurrence of the Senate is asked, to wit:

A resolution inviting Hon. J. F Hanson to address the General Assembly on June 29, 1903.

The following Senate bills were read second time:

By Mr. Skelton—

A bill to provide for the collection of the revenues of the State arising under special occupation and license taxes.

By Mr. Tisinger—

A bill to regulate the law of year's support.

The following House resolution was read and concurred in by the Senate:

By Mr. Davis—

A resolution inviting the Hon. J. F. Hanson to deliver an address in the hall of the House of Representatives on June 29, 1903.

At 10:30 o'clock Senate went into executive session.

On motion, the Senate adjourned.

SENATE CHAMBER, ATLANTA, GEORGIA,
Monday, June 29, 1903.

The Senate met pursuant to adjournment at 11 o'clock; was called to order by the President.

Prayer was offered by the Chaplain.

Upon the call of the roll the following members answered to their names:

Allen, Hudson, Roberts, Atkinson, Jordan, Skelton, Christie, Lee. Smith, Clark, Ledford, Suead, Clements. Lewis, Stevens, Comas, Mathews, Sweat. Crumbley. McClure, Symons, Dodd, McLean, Taylor, Davis, McMichael, Tisinger, Duncan of 10th, Merritt, Turner, Duncan of 36th. Middlebrooks. Van Buren. Golden. Moore, Williams, Harrell, Fark, Worsham. Hightower, Perry, Mr. President. Hopkins, Reid,

The Journal of Friday was read and approved.

The following message was received from his Excellency, the Governor, through his Secretary, Mr. Blackburn, to wit:

#### Mr. President:

I am directed by his Excellency, the Governor, to deliver to the Senate a sealed communication, to which he respectfully invites the consideration of your honorable body in executive session.

The following message was received from his Excellency, the Governor, through his Secretary, Mr. Blackburn, to wit:

#### Mr. President:

I am directed by his Excellency the Governor to deliver to the Senate a sealed communication, to which he respectfully invites the consideration of your honorable body in executive session.

The following message was received from the House through Mr. Boiseuillet, the Clerk thereos:

#### Mr President:

The House has passed by the requisite constitutional majority the following bill of the House, to wit:

# By Mr. Tigner of Muscogee--

A bill to amend paragraph 1, section 1, article 7 of the Constitution, which relates to the power of taxation to be exercised by the General Assembly, and for other purposes.

The following Senate bills were read first time:

By Mr. Clements--

A bill to change the mode of remuneration for the solicitors-general of this State.

Referred to General Judiciary Committee.

By Mr. Dodd--

A bill to place upon the retired list officers who have served in the volunteer forces of the State for three years-

Referred to Military Committee.

By Mr. Dodd---

To amend section 4147 of the Code relative to the compensation of the jurors in justice courts.

Referred to Special Judiciary Committee.

By Mr. Dodd--

A bill to repeal sections 32 to 65, inclusive, of volume 1 of the Code relative to the registration of voters.

Referred to Special Judiciary Committee.

By Mr. Duncan of the 10th-

A bill to require trial judges to purge jurors when defendant is indemnified by any person.

Referred to General Judiciary Committee.

By Mr. Howell--

A bill to amend an Act establishing a new charter for the city of Atlanta.

Referred to Corporation Committee.

Mr. Perry, Chairman of the General Judiciary Committee, submitted the following report:

#### Mr. President:

The General Judiciary Committee has had under consideration the following bill of the Senate, which it instructs me to report back with the recommendation that it do pass.

A bill to amend section 2166 of the Code of 1895 in regard to extending charters of railroads.

Also, that the following bill of the Senate do pass by substitute:

A bill to amend section 2809 of the Civil Code in regard to liens on sawmills, and for other purposes.

Respectfully submitted.

H. H. PERRY, Chairman.

The following Senate bills were read the second time:

By Mr. Mathews-

A bill to amend section 2809 of the Civil Code.

By Mr. Howell-

A bill to amend section 2166 of the Code of 1895.

The following House bill was read first time:

By Mr. Tigner-

A bill to amend paragraph 1, section 1, article 7 of the Constitution, which relates to the power of taxation.

Referred to Constitutional Amendments Committee.

At 11:30 the Senate went into executive session.

Senator Smith was granted leave of absence.

Mr. Middlebrooks, chairman of the Committee on Corporations, submitted the following report:

#### Mr. President:

The Committee on Corporations has had under consideration the following bills of the Senate, which it instructs me to report, with the recommendation that they do pass:

A bill to create a board of road and bridge commissioners for Appling county.

Also, the following House bill, which it instructs me to report with the recommendation that the same do pass:

A bill to provide a board of commissioners of roads and revenues for Monroe county.

Respectfully submitted.

L. L. MIDDLEBROOKS, Chairman.

The following Senate bill was read first time:

By Mr. Middlebrooks--

A bill to change the line between the counties of Newton and Jackson.

Referred to Committee on Counties and County Matters.

The following Senate bill was read third time to be put upon its passage:

By Mr. Comas--

A bill to create a board of roads and bridges for Appling county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 32, nays 0.

The bill having received the requisite constitutional majority was passed.

The following House bill was read first time:

By Messrs. Shannon and Walker:

A bill to provide a board of commissioners of roads and. revenues for Monroe county.

On motion, the Senate adjourned until to-morrow morning at 10 o'clock.

SENATE CHAMBER, ATLANTA, GEORGIA,
Tuesday, June 30, 1903.

The Senate met pursuant to adjournment at 10 o'clock; was called to order by the President.

Prayer was offered by the Rev. Luke Johnson.

Upon the call of the roll the following members answered to their names:

Allen, Hudson, Roberts, Atkinson, Jordan, Skelton, Christie. Lee. Smith. Clark. Ledford. Snead. Clements, Lewis. Stevens, Comas. Mathews, Sweat, Crumbley. McClure. Symons, Dodd, McLean, Taylor, Davis, McMichael, Tisinger, Duncan of 10th, Merritt, Turner, Middlebrooks. Van Buren, Duncan of 36th, Golden, Moore. Williams, Harrell, Park, Worsham. Hightower, Perry, Mr. President. Hopkins, Reid,

The Journal of yesterday was read and approved:

Mr. Perry, chairman of Committee on Constitutional Amendments, submitted the following report:

#### Mr President:

The Committee on Constitutional Amendments has had under consideration the following bill of the House, which it instructs me to report back with the recommendation that it do pass:

A bill to be entitled an Act to amend paragraph 1, section 1, article 7 of the Constitution which relates to the power of taxation to be exercised by the General Assembly, and for other purposes.

Respectfully submitted,

H. H. PERRY, Chairman.

The following message was received from the House brough Mr. Boifeuillet, the Clerk thereof:

#### Mr President:

The House has passed by the requisite constitutional majority the following bills of the House, to wit:

A bill to be entitled an Act to amend an Act in reference to the road laws of the State of Georgia, and for other purposes.

A bill to be entitled an Act to regulate the filing of second claims under the claim laws of this State, and for other purposes.

A bill to repeal an Act entitled an Act to establish the city court of Mount Vernon, and for other purposes.

The House has also passed by the requisite constitutional majority the following resolutions of the House, to wit:

A resolution for the relief of E. A. Buck, of Berrien county, and for other purposes.

A resolution to pay the pension of Jesse E. Butler to his widow

The following communication was received from his Excellency, the Governor, through his Secretary, Mr. Blackburn, to wit:

#### Mr. President:

I am directed by his Excellency, the Governor, to deliver to the Senate a sealed communication, to which he invites the consideration of your honorable body in executive session.

The following Senate bills were read first time.

By Mr. Howell—

A bill to amend the Act establishing the city court of Bainbridge.

Referred to Special Judiciary Committee.

By Mr. Symons-

A bill to amend paragraph 2, section 2 of the General Tax Act relative to Contederate veterans.

Referred to Finance Committee.

By Mr. Comas-

A bill to amend the Constitution so as to increase the salaries of judges of the superior court.

Referred to Constitutional Amendments Committee.

By Mr. Van Buren-

A resolution directing the State Printer to print and bind certain public records.

Referred to Appropriation Committee.

The following Senate bills were read third time to be put upon their passage:

By Mr. Mathews-

A bill to amend section 2809 of the Code.

Report of the committee was agreed to.

Upon the passage of the bill, the ayes were 34, nays 0

The bill having received the requisite constitutional majority, was passed by substitute.

By Mr. Tisinger-

A bill to regulate the law of year's support.

Report of the committee was agreed to.

Upon the passage of the bill, the ayes were 36, nays 0.

The bill having received the requisite constitutional majority, was passed.

By Mr. Skelton-

A bill to provide for the collection of the revenues of the State arising under special occupation tax.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 34, nays 0.

The bill having received the requisite constitutional majority, was passed.

By Mr. Howell, by request—

A bill to amend section 2166 of the Code.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 31, navs 5.

The bill having received the requisite constitutional majority, was passed.

The following House bills were read first time:

By Mr. Felder--

A bill to regulate the filing of second claims.

Referred to General Judiciary Committee.

By Mr Thurman--

A bill to amend the road laws of this State.

Referred to Special Judiciary Committee.

By Mr. Wooten--

A bill to repeal the Act establishing the city court of Mount Vernon.

Referred to Special Judiciary Committee.

By Messrs. Knight and Paulk-

A resolution for the reliet of E. A. Buck, of Berrien county

Referred to General Judiciary Committee.

By Mr. Spence—

A resolution to pay pension of J. E. Butler to his widow

Referred to Pension Committee.

Mr. Golden, chairman protem. of Committee on Engrossing, submitted the following report:

Mr President:

The Committee on Engressing has examined the follow-

ing bill, which is found correctly engrossed and ready for transmission to the House:

A bill to be entitled an Act to create a board of road and bridge commissioners for Appling county, define their powers, prescribe their duties, and for other purposes.

Respectfully submitted.

W F GOLDEN, Chairman, pro tem.

Mr. Perry, Chairman of the General Judiciary Committee, submitted the following report:

#### Mr. President:

The General Judiciary Committee has had under consideration the following bills of the Senate, which I am instructed to report back with the recommendation that they do pass.

A bill to amend an Act approved December 19, 1899, amending sub-section 11 of section 4082 of volume 2 of the Code, 1895, by providing compensation for justices of the peace, for services therein mentioned, and for other purposes.

A bill to change the line between Newton and Jasper counties, so as to make the Alcova river from Water Bridge to the mouth of Bear creek the line between Newton and Jasper counties, and for other purposes.

Also, that the following bill of the Senate do not pass:

A bill to require trial judges to purge jurors where defendant is indemnified by any person, association, or corporation, and disqualifying jurors who may be related to

any person, or interested in any association or corporation indemnifying the defendant, and for other purposes.

Also, that the following bill of the House do pass as amended:

A bill to be entitled an Act to repeal an Act entitled an Act to establish a city court of Clarksville, in Habersham county, and for other purposes.

H. H. PERRY, Chairman.

Mr. Middlebrooks, Chairman of the Committee on Corporations, submitted the following report:

Mr President:

The Committee on Corporations has had under consideration the following Senate bills, which they instruct me to report with the recommendation that the same do pass:

A bill to authorize the Marietta Sewage Company to occupy the streets of Marietta, and for other purposes.

A bill to amend Act establishing a new charter for Atlanta, approved February 28, 1874, and the several Acts amendatory thereof.

Respectfully submitted,

L. L. MIDDLEBROOKS, Chairman.

The following Senate bills were read second time:

By Mr Howell, by request—

A bill to authorize the Marietta Sewage Company to occupy certain streets in the city of Marietta.

By Mr. Comas-

A bill providing compensation for justices of the peace in certain cases.

By Mr. Middlebrooks-

A bill to change the line between Newton and Jasper counties.

By Mr. Howell-

A bill to amend the charter of the city of Atlanta.

The following House bill was read second time:

By Mr. Tigner-

A bill to amend paragraph 1, section 1, article 7 of the Constitution, limiting the rate of taxation.

The following resolutions were read and unanimously adopted:

STATE SENATE, ATLANTA, GA., June 30, 1903.

Resolutions of Respect to the Memory of the Hon. Patrick J. Sullivan.

Whereas, during the past session of this body, Hon. Patrick J. Sullivan, the distinguished senator from the 18th Senatorial District, while in the efficient and faithful discharge of his arduous duties as a member of the General Assembly, was suddenly stricken by death;

AND WHEREAS, his eminent ability as a lawmaker, and his untiring devotion to the duties of the official position, which for two terms he has honored at the request of a

grateful electorate, commanded and deserved the unstinted respect of the State which he so faithfully represented, and this body in which he so earnestly served;

AND WHEREAS, the close ties formed by his relations with the members of this body were so tender, and yet so strong, that his untimely death seemed not only a loss, but a calamity; be it therefore

Resolved by the Senate of Georgia, That in the death of Senator Sullivan this chamber has lost one of its most capable and unselfish members, his district an able, faithful and fearless representative, and this State a generous, useful and patriotic citizen; be it further

Resolved, That these resolutions be entered upon the Journal of the Senate, and a copy thereof be furnished to the press.

The Committee appointed to prepare suitable resolutions on the death of the late Senator Rountree, reported that the resolutions had not been prepared, and asked until July 9 to present them, which request was granted.

The invitation from President Burton Smith of the Georgia Bar Association to visit their meeting at Tallulah Falls, was accepted.

At 11:20 o'clock the Senate went into executive session.

On motion, the Senate adjourned until to-morrow morning at 10 o'clock.

# SENATE CHAMBER, ATLANTA, GEORGIA, Wednesday, July 1, 1903.

The Senate met pursuant to adjournment at 10 o'clock; was called to order by the President.

Prayer was offered by the Chaplain.

Upon the call of the roll the following members answered to their names:

Hudson, Roberts, Allen, Jordan, Skelton, Atkinson, Lee. Smith. Christie, Ledford. Snead, Clark, Lewis. Stevens, Clements, Sweat, Comas. Mathews, McClure, Symons, Crumbley. McLean, Taylor, Dodd, McMichael, Tisinger, Davis, Duncan of 10th, Merritt, Turner, Duncan of 36th, Middlebrooks. Van Buren, Golden, Moore. Williams. Park, Worsham, Harrell, Mr. President. Hightower, Perry, Hopkins, Reid.

The Journal of yesterday was read and approved.

Mr. Ledford, chairman pro tem. of the Committee on Engrossing, submitted the following report:

#### Mr. President

The Committee on Engrossing has examined the following bills, which are found to be correctly engrossed and ready for transmission to the House:

A bill to amend section 2809 of the Civil Code.

A bill to regulate the law of year's support.

A bill providing for the collection of the revenue of the State arising under special occupation and license taxes.

A bill to amend section 2166 of Code of 1895.

Respectfully submitted.

M. L. LEDFORD, Chairman pro tem.

Mr. Tisinger, Chairman of the Special Judiciary Committee, submitted the following report:

Mr. President:

The Special Judiciary Committee has had under consideration the following Senate bill, which they instruct me to report, with the recommendation that the same dopass as amended:

A bill to amend the Act establishing the city court of Bainbridge, approved November 27, 1900, so as to provide for the election by the people of the judge and solicitor of said court.

Respectfully submitted.

B. L. TISINGER, Chairman.

Mr. Duncan, of 36th, Chairman of the Committee on Temperance, submitted the following report:

### Mr. President:

The Committee on Temperance has had under consideration the following House bill, which they instruct me to report, with the recommendation that the same do pass:

A bill fixing the license fee for retailing liquors in Brooks county at \$12,000.00, and for other purposes.

Respectfully submitted.

Duncan, 36th, Chairman.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

Mr. President:

The House has passed by the requisite constitutional majority the following bill of the House, to wit:

A bill to be entitled an Act to further extend the powers of the Railroad Commission of this State, and for other purposes.

Mr. Perry, Chairman of the General Judiciary Committee, submits the following report:

Mr. President:

The General Judiciary Committee has had under consideration the following bills of the Senate which it instructs me to report back with the recommendation that they do not pass:

A bill to require the rotation of the judges of the superior courts of this State, and prescribe the method, and for other purposes.

A bill to amend section 3761 of the Civil Code of 1895 in regard to enforcement of judgments.

H. H. Perry, Chairman. Mr. Tisinger, Chairman of the Special Judiciary Committee, submits the following report:

#### Mr. President:

The Special Judiciary Committee has had under consideration the following House bill which the Committee instructs me, as its Chairman, to report with the recommendation that the same do pass:

A bill to repeal an Act entitled "an Act to establish the city court of Mount Vernon in and for the county of Montgomery, and for other purposes."

Respectfully submitted.

B. L. TISINGER, Chairman.

The following Senate bills were read first time:

# By Mr. Davis-

A bill to require all persons and corporations to pay taxes in the counties when they are by law required to be returned.

Referred to the Special Judiciary Committee.

# By Mr. Jordan-

A bill to provide in what county manufacturing and other corporations shall pay taxes when their lines cross the county line.

Referred to the Special Judiciary Committee.

### By Mr. Jordan—

A bill to provide for the registration, sale and inspection of fertilizers of this State.

Referred to the Agricultural Committee.

### By Mr. Mathews-

A bill to provide for the levy and sale of the equity of redemption in cases of conveyance of deeds.

Referred to General Judiciary Committee.

The following House bill was read first time:

## By Messrs. Steed and Hixon-

A bill to enlarge the powers of the Railroad Commission.

Referred to the Railroad Committee.

The following Senate bills were read second time.

# By Mr. Howell-

A bill to amend the Act establishing the city court of Bainbridge, in Decatur county

The following message was received from his Excellency, the Governor, through his Secretary, Mr. Blackburn, to wit:

### Mr. President:

I am directed by his Excellency the Governor to deliver to the Senate a sealed communication, to which he respectfully invites the consideration of your honorable body in executive session.

The following House bill was read second time:

### By Mr. Gaulden-

A bill to fix the license of retailing spirituous liquors in Brooks county.

The following Senate bills were read second time, with adverse report of the committee. The report was agreed to and bills lost:

### By Mr. Comas—

A bill to provide for the rotation of judges of the superior courts of this State.

## By Mr. Lee-

A bill to amend the Act creating the Prison Commission of Georgia.

## By Mr. Middlebrooks-

A bill to hire one-halt of the felony convicts on public works.

This bill was tabled.

## By Mr. Golden—

A bill to require the manufacturers of shoes to stamp on the sole the material out of which they were made.

# By Mr. Skelton-

A bill to amend section 3161 of the Code.

By Mr. Duncan--

A bill to require trial judges to purge jurors in certain cases.

The following Senate bills were read third time to be put upon their passage:

By Mr. Comas-

A bill to amend sub-section 11 of section 4082 of Code relative to compensation for justices of peace.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Howell (by request)-

A bill to amend the Marietta Sewerage Co., to occupy certain streets of said city for sewerage purposes.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 28, nays 0.

The bill having received the requisite constitutional majority was passed.

The following House bill was read third time to be put upon its passage:

### By Mr. Tignor-

A bill to amend paragraph 1, section 1, article 7 of the Constitution, which relates to the power of taxation.

Report of the committee was agreed to.

This being a constitutional amendment, the ayes and nays were ordered, and the vote was as follows: .

Those voting in the affirmative were Messrs.—

Allen, Jordan, Skelton, Smith, Atkinson, Lee, Christie, Ledford, Snead, Clements, Lewis, Sievens, Comas. Mathews. Sweat, Crumbley, McClure, Taylor, Dodd, McLean, Tisinger, Davis, Merritt, Turner, Duncan of 10th, Middlebrooks, Van Buren, Duncan of 36th, Park, Williams, Harrell, Perry, Worsham. Mr. President. Hightower, Roberts. Hopkins,

Those voting in the negative were Messrs.—

#### Symons,

Those not voting were Messrs.—

Clark, Hudson, Moore, Golden, McMichael, Reid,

Ayes 37, nays 1.

Upon counting up the vote, it appeared that the bill had received 37 votes, nays 1.

The bill having received the requisite two-thirds majority was passed, and the bill is as follows:

### A BILL

To be entitled an Act to amend paragraph 1 of section 1 of article 7 of the Constitution of this State, which relates to the power of taxation to be exercised by the General Assembly, by adding at the end of said paragraph a proviso limiting the power of the General Assembly to levy and assess a tax for any purposes exceeding five-tenths of one per centum except for specific purposes, and to provide for the submission of the same to the people for ratification, and for other purposes.

Section 1. Be it enacted by the General Assembly of the State of Georgia, and it is hereby enacted by authority of the same, That from and after the passage of this Act that paragraph 1 of section 1 of article 7 of the Constitution of this State, which relates to the power of taxation over the State of Georgia to be exercised by the General Assembly, shall be amended by adding at the end thereof the following proviso: "Provided, however, that the General Assembly shall have no power to levy or assess taxes for any purposes whatsoever exceeding in the aggregate five-tenths of one per centum, after the first day of January, 1905, except for the purpose of suppressing insurrection, repelling invasion and defending the State in time of war.

SEC. 2. Be it further enacted by the authority aforesaid, That whenever the proposed amendment of the Constitution shall be agreed to by two-thirds of the members elected to each of the two Houses of the General Assembly, the Governor of this State shall, and he is hereby authorized and instructed to cause said amendment to be published in at least two newspapers in each congressional district in this State for the period of two months previous to the next general election.

- SEC. 3. Be it further enacted by the authority afore-'said, That the above proposed amendment shall be submitted for ratification or rejection of the electors of this State at the next general election to be held after the publication as provided for in the second section of this Act in the several congressional districts of this State, at which election every person shall be qualified to vote who is entitled to vote for members of the General Assembly All persons voting at said election in favor of adopting the proposed amendment shall have written or printed on their ballots the words "For ratification of the amendment of paragraph 1 of section 1 of article 7 of the Constitution of this State limiting the power of taxation of the General Assembly," and all persons opposed to the adoption of said amendment shall have written or printed on their ballots the words "Against the ratification of amendment of paragraph 1 of section 1 of article 7 of the Constitution limiting the power of taxation of the General Assembly."
- SEC. 4. Be it further enacted by the authority aforesaid, That the Governor of this State be, and he is, hereby authorized and directed to provide for the submission of the foregoing proposed amendment of the Constitution of this State to a vote of the people as provided by the Constitution of this State in paragraph 1 of section 1 of article 13 and by this Act; and if the same be ratified, the Governor shall, when he ascertains such ratification from the Secretary of State, to whom the returns shall be referred in the same manner as in case of elections for members of the General Assembly, to count and ascertain the result, issue his proclamation and cause the same to be inserted one time in one of the daily papers of this State announcing such result and declaring the said amendment ratified.
- SEC. 5. Be it further enacted by the authority aforesaid, That all laws and parts of laws in conflict with this Act be, and the same are, hereby repealed.

Mr. Perry, chairman of the General Judiciary Committee, submitted the following report:

### Mr. President:

The General Judiciary Committee has had under consideration the following bill of the House, which it instructs me to report back with the recommendation that it do pass as amended.

A bill to be entitled an Act to repeal an Act entitled "an Act to establish a city court of Clarkesville, in Habersham county," and for other purposes.

Respectfully submitted.

H. H. PERRY, Chairman

The following House bill was read third time to be put upon its passage.

## By Mr. Payton—

A bill to abolish the city court of Clarkesville, in Haber-sham county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 33, nays 0; the bill having received the requisite constitutional majority was passed as amended, and the amendments are as follows:

Amend section 2 by striking out the proviso beginning with the word "provided" in the seventh line and ending with the word "courts" in the thirteenth line.

The following House bill was read second time:

By Mr. Wooten-

A bill to repeal the Act establishing the city court of Mount Vernon, in Montgomery county.

The invitation from the Joseph Habersham Chapter was accepted.

The invitation from Messrs. Knowles and Taylor to be present at a barbecue at Lindale, July 4, was accepted.

At 11:20 the Senate went into executive session.

On motion, when the Senate adjourns Thursday it will stand adjourned until Monday morning at 11 o'clock.

On motion, the Senate adjourned until to-morrow at 10 o'clock.

SENATE CHAMBER, ATLANTA, GEORGIA,
Thursday, July 2, 1903.

The Senate met pursuant to adjournment at 10 o'clock; was called to order by the President.

Prayer was offered by the Chaplain.

Upon the call of the roll the following members answered to their names:

Allen,

Clark,

Crumbley,

Atkinson,

Clements,

Dodd,

Christie,

Comas,

Davis,

Duncan of 10th, McClure, Snead, Stevens, Duncan of 36th, McLean, McMichael, Sweat. Golden, Harrell, Merritt. Symons, Hightower, Middlebrooks. Taylor, Tisinger, Hopkins, Moore, Hudson. Park, Turner, Van Buren, Jordan. Perry, Williams, Lee, Reid, Ledford, Roberts, Worsham, Mr. President. Lewis. Skelton. Smith, Mathews.

The Journal of yesterday was read and approved.

Mr. Worsham, chairman pro tem. of the Committee on Engrossing, submitted the following report:

### Mr. President:

The Committee on Engrossing have examined the following bills which they find correctly engrossed and ready for transmission to the House:

A bill to amend an Act approved December 19, 1899, amending subsection 11 of section 4082 of the Code, providing compensation for justices of the peace for services therein mentioned.

A bill to authorize the Marietta Sewerage Company to occupy the streets of Marietta, to purchase, lease and condemn rights of way and other easements, and for other purposes.

Respectfully summitted.

W A. WORSHAM, Chairman pro tem.

The following special order was taken up, which is as follows:

By Mr. Snead-

A bill to make it unlawful to charge more than 8 per cent. on money advanced on cotton or other products.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 30, nays 3.

The bill having received the requisite constitutional majority was passed by substitute.

Senate Resolution No. 41 was transferred from the Appropriation Committee to the Public Printing Committee.

Mr. Davis, chairman of the Finance Committee, submitted the following report:

### Mr. President:

The Committee on Finance have had under consideration the following Senate bill which they instruct me to report back with the recommendation that the same do pass:

A bill to amend paragraph 2, section 2 of the General Tax Act approved December 16, 1902, so as to exempt Confederate veterans who are practitioners of law, medicine or dentistry.

Respectfully submitted.

WM. H. DAVIS, Chairman.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof.

### Mr. President:

The House has passed by the requisite constitutional majority the following bill of the House, to wit:

A bill to repeal an Act to amend section 610, volume 1 of the Code relative to the expense to be borne by counties connected by bridges or ferries.

The following Senate bill was read third time to be put upon its passage.

By Mr. Howell-

A bill to amend the Act establishing the city court of Bainbridge in Decatur county.

Report of the committee was agree to.

Upon the passage of the bill the ayes were 34, nays 0.

The bill having received the requisite constitutional majority was passed.

The following House bill was read first time:

By Mr. Fussell-

A bill to repeal an Act entitled an Act to amend section 610, volume 1 of the Code relative to the expense of erecting bridges.

Referred to Special Judiciary Committee.

Mr. Perry, chairman of the General Judiciary Committee, submitted the following report:

Mr. President:

The General Judiciary Committee has under consideration the following bills of the House, which I am instructed to report back with the recommendation that they do pass as amended:

A bill to revise the election laws of Georgia, and for other purposes.

A bill to amend an Act to establish a city court in the county of Hall, and to provide for the appointment of judge and solicitor thereof, approved August 14, 1891; also, to amend an Act amendatory thereof, approved December 17, 1898, and for other purposes.

Respectfully submitted.

H. H. PERRY, Chairman.

The following Senate bill was read second time:

By Mr. Symons—

A bill to amend paragraph 2, section 2 of the General Tax Act of 1902.

The following House bill was read third time to be put upon its passage:

By Messrs. Thompson and Rogers-

A bill to amend the Act establishing the city court of Hall county.

Report of committee was agreed to.

Upon the passage of the bill the ayes were 30, nays 0.

The bill having received the requisite constitutional majority was passed as amended—and the amendments are as follows. Bill ordered immediately transmitted to the House:

Committee amends bill as follows:

Amends section 1—

1st. By changing "Acts" to "Act" in the fifth line.

- 2d. By adding after "1891," fifth line, the words "to establish a city court in the county of Hall and to provide for the appointment of a judge and solicitor thereof, appealed August 14, 1891."
- 3d. By striking out after the word "Senate," in ninth line, all the words down to "but," in the eleventh line, and inserting the following in lieu thereof: "who shall hold his office for the term of four years; and all vacancies in the office of judge shall be filled by appointment by the governor for the balance of the unexpired term."
  - 4th. By striking out the word "first" in seventeenth line.
- 5th. By inserting after the word "county" in eighteenth line the words "when shall after the first term of office herein provided for, hold his office for the term of four years, and all vacancies in the office of judge, except as hereinafter provided, shall be filled by appointment of the governor."
- 6th. By striking out all the words from "county" in the eighteenth line to the word "in" in twentieth line.
- 7th. By inserting after the word "shall" in twenty-sixth line the words "after the first term of office hereinafter provided for."
- 8th. By inserting after the word "judge" in twenty-eighth line the words "except as hereinafter provided."

By inserting after the figure "2" in eleventh line the words "and all vacancies in the office of judge shall be filled by appointment by the governor for the balance of the unexpired term."

Committee amends section 2-

By inserting after the word "that" in second line the words "the Act of the General Assembly, approved December 17, 1898, to amend 'an Act to establish a city court

in the county of Hall and to provide for the appointment of a judge and solicitor thereof," be amended as follows: "that by striking out in eighth line of said section of bill the expression 'the following words."

3d. By inserting after the word "county," in tenth line of said section of the bill, the words "and that said Act be further amended by inserting after the word 'office,' in eighth line of page 325 of said Act in the published Acts of the General Assembly for the year 1898 the following words: 'after the first term of office hereinafter provided for.'"

4th. By inserting after the word "office," in sixteenth line of said section 2 of the House bill the following: "after the first term of office hereinafter provided for."

Committee further amends said bill by striking out from section 3 all of said section after the word "aforesaid" in second line, and substituting therefor the following: "that the governor shall call an electition for the judge and solicitor of said city court, to be held on the first Monday in October next; that the persons so elected shall hold office from the time of their election and qualification until the first day of January after the general election for members of the General Assembly for said county of Hall in the year 1906; that the successors of those first elected, as above provided, shall be elected at the general election for members of the General Assembly for said county, to be held in the year 1906, and shall hold their respective offices for four years from the first day of January thereafter; that all subsequent elections shall be held every four years from said election for State officers in the year 1906, and shall be held at the same time with the election for members of the General Assembly, and the persons elected shall hold their offices for four years from the first day of January after their election; that all elections for said offices shall be under the same rules and regulations as provided for elections of members of the General Assembly; that all vacancies now existing or which may hereafter exist in said offices before the election and qualification of the judge and solicitor of said court which may be elected on the election to be held in October next shall be filled by appointment of the governor, such appointee to hold office until the officers so elected shall be qualified.

The following message was received from his Excellency, the Governor, through his Secretary, Mr. Blackburn, to wit:

### Mr. President:

I am directed by his Excellency, the Governor, to deliver to the Senate a sealed communication, to which he respectfully invites the consideration of your honorable body in executive session.

Mr. Tisinger, chairman of the Special Judiciary Committee, submitted the following report:

#### Mr. President:

The Special Judiciary Committee has had under consideration the following Senate bills, which I am instructed to report back with the recommendation that they do pass:

A bill to require taxes to be paid by all persons, companies and corporations in the county in which they are by law required to be returned; to provide for the ascertainment of the county entitled to payment in disputed cases; to provide for the regulation of commissions of tax-receivers and tax-collectors; for the transmission of the

State's portion of such taxes to the Comptroller-General, and the disposition of the balance pending litigation, and for other purposes

A bill to provide in what county manufacturing or other companies, other than railroad, etc., and all persons owning and operating manufacturing and other plants, whose real estate or plant lies on or across a county line or lines, and in two or more, shall return their property and pay their taxes thereon, and for other purposes.

Respectfully submitted.

B. L. TISINGER, Chairman.

Mr. Perry, chairman of the Committee on Constitutional Amendments, submitted the following report:

Mr. President:

The Committee on Constitutional Amendments has had under consideration the following bill of the Senate, which it instructs me to report back with the recommendation that it do pass:

A bill to amend paragraph 2, section 11, of the Constitution of this State.

Respectfully submitted.

H. H. PERRY, Chairman.

The following Senate bill was read the second time and recommitted:

By Mr. Dodd—

A bill to provide for a uniform system of school-books for this State.

One hundred copies ordered printed.

The following Senate bills were read the first time:

By Mr. Park-

A bill to provide that no person living within the territory embodied in any local public school shall be eligible to serve on the county board of education.

Referred to the Education Committee.

By Mr. Tisinger-

A bill to change the time of holding the fall term of Upson Superior Court.

Referred to the Special Judiciary Committee.

By Mr. Mathews—

A bill to prescribe how property shall be levied on and sold which is held by a defendant in execution when the plaintiff has obtained a special judgment.

Referred to General Judiciary Committee.

By unanimous consent Senate bill No. 131 was reconsidered which was lost on yesterday and referred to the General Judiciary Committee.

The following House bill was taken up, read third time and put upon its passage:

By Mr. Kelly—

A bill to revise the election laws of the State of Georgia.

Mr. Park moved to table the bill, which motion was lost.

Mr. Hudson moved to postpone the action on this bill until next Wednesday, and one hundred copies of the bill and amendments be printed, which motion was lost.

On the amendment to submit to the grand jury the previous question was called and sustained.

On the amendment the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.—

Allen. Hudson, Park. Jordan, Atkinson, Roberts, Christie, Skelton, Lee. Clark, Ledford, Smith, Clements, Lewis. Stevens, Comas. Mathews, Sweat, Davis, Taylor, McLean, Duncan of 10th, McMichael, Williams, Duncan of 36th, Moore, Worsham, Golden,

Those voting in the negative were Messrs.—

Crumbley, Perry, Symons,
Dodd, Reid, Tisinger,
Harrell, Snead, Van Buren,
Merritt,

Those not voting were Messrs.—

Hightewer, McClure, Turner,
Hopkins, Middlebrooks, Mr. President.

Ayes 28, nays 10.

The amendment was adopted.

By unanimous consent one hundred copies of the bill as amended was ordered printed for the use of the Senate. Mr. Christie was granted leave of absence for Monday and Tuesday.

On motion, the Senate adjourned until Monday morning at 11 o'clock.

SENATE CHAMBER, ATLANTA, GA., Monday, July 6, 1903.

The Senate met pursuant to adjournment at 11 o'clock; was called to order by the President.

Prayer was offered by the Chaplain.

On motion, the roll-call was dispensed with.

Mr. Tisinger gave notice that at the proper time hewould move to reconsider the action of the Senate inadopting the amendment to the Australian ballot bill submitting its adoption to the grand juries.

The Journal was approved.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

### Mr. President:

The House has passed by the requisite constitutional majority the following bills of the House, to wit:

A bill to be entitled an Act to incorporate the town of Mansfield, and for other purposes.

A bill to amend an Act concerning the election laws of Cordele.

A bill to repeal an Act to establish the city court of Jefferson.

A bill to repeal an Act to create a board of advisory commissioners for Laurens and Glascock counties.

A bill to amend an Act to create the city court of Greenville.

A bill to incorporate the town of East Ellijay.

A bill to amend an Act to reincorporate the town of Waycross as the city of Waycross.

A bill to prohibit the manufacture of liquors in Upson county.

A bill to amend an Act to incorporate the city of Toc-

The following message was received from the House through Mr. Boiteuillet, the Clerk thereof:

### Mr. President:

The House has passed by the requisite constitutional majority the following bills of the House, to wit:

A bill to abolish the board of county commissioners of roads and revenues and public property of the county of Wilkes.

A bill for the appropriation of \$9,360 for payment of indigent widows.

A bill to appropriate \$11,500 for the purpose of building an addition to the dormitory of the Georgia School for the Deaf.

Mr. Ledford, Chairman pro tem. of the Engrossing Committee, submitted the following report:

### Mr. President:

The Engrossing Committee has examined the following bills, which are found to be correctly engrossed and ready for transmission to the House.

A bill to make it unlawful, where a loan of money is made, for the lender to exact more than 8 per cent., whether as interest or damages, for breach of collateral contract.

A bill to amend the Act establishing the city court of Bainbridge, so as to make the judge and solicitor of said court elective.

Respectfully submitted.

LEDFORD, Chairman pro tem

Mr. Lewis, Chairman of the Committee on Public Printing, submitted the following report:

### Mr. President:

The Committee on Public Printing has had under consideration the following Senate resolution, which it instructs me to report with the recommendation that the same do pass:

A resolution directing the State printer to print and bind certain public records.

Respectfully submitted.

Lewis, Chairman.

Mr. Tisinger, Chairman Special Judiciary Committee, submitted the following report:

#### Mr. President:

The Special Judiciary Committee has had under consideration the following bill of the Senate, which it instructs me to report back with the recommendation that it do pass.

A bill to change the time of holding the fall term of Upson superior court from the third Monday in November each year to the first Monday in November each year, and for other purposes.

Respectfully submitted.

B. L. TISINGER, Chairman.

The unfinished business of Thursday was taken up, which is a bill by Mr. Kelly.

A bill to revise the election laws of Georgia.

On motion, this bill was made special order for next Wednesday immediately after the reading of the Journal.

The following Senate bills and resolutions were read first time.

# By Mr. Dodd-

A resolution providing for the same number of pages and doorkeepers for this session and 1904 as was employed in 1902.

Read and adopted.

By Mr. Sweat-

A bill to amend the Act creating a new charter for the city of Douglas in Coffee county.

Referred to the Special Judiciary Committee.

The following House bills were read first time.

By Mr. Spence—

A bill to amend the Act incorporating the town of Way-cross.

Referred to Corporation Committee.

By Messrs. Hardeman and Holder-

A bill to repeal an Act establishing the city court of Jefferson, Jackson county.

Referred to Special Judiciary Committee.

By Mr. Fields—

A bill to amend the Act concerning the election laws of the city of Cordele.

Referred to Corporation Committee.

By Mr. Carr—

A bill to incorporate the town of Mansfield in Newton county.

Referred to Corporation Committee.

By Mr. Welch—

A bill to incorporate the town of East Ellijay.

Referred to Corporation Committee.

By Mr. Hawes-

▲ bill to appropriate the sum of \$11,500.00 for the purpose of erecting and equipping new buildings for the School for the Deaf.

Referred to Appropriation Committee.

By Mr. Payton-

A bill to amend the Act incorporating the city of Toccoa in Habersham county.

Referred to Corporation Committee.

By Mr. Womble-

A bill to prohibit the manufacture of alcoholic spirits in Upson county.

Referred to Temperance Committee.

By Mr. Howell-

A bill to amend the Act establishing the city court of Greenville in Meriwether county.

Referred to Special Judiciary Committee.

By Mr. Kelly—

A bill to create an advisory board of commissioners for Laurens and Glascock counties.

Referred to Special Judiciary Committee.

By Messrs. Alexander and Grenade—

A bill to abolish the board of county commissioners of roads and revenues for Wilkes county.

Referred to Special Judiciary Committee.

By Mr. Davis—

A resolution for the appropriation of \$9,360 for the payment of indigent widows.

Referred to Appropriation Committee.

The following Senate bills were read second time:

By Mr. Davis-

A bill to amend paragraph 2, section 11 of the Constitution.

By Mr. Davis-

A bill to require taxes to be paid by all persons, companies, etc., in the county in which they are by law required to be returned in.

By Mr. Jordan-

A bill to provide in what county taxes shall be paid when the property extends into other counties.

By Mr. Tisinger-

A bill to change the time of holding the fall term of Upson superior court.

By Mr. Van Buren-

A resolution to direct the State Printer to print and bind certain public records.

The following Senate bill was read the third time:

By Mr. Symons—

A bill to exempt certain Confederate veterans from special taxes.

On motion, this bill was tabled.

The following Senate bill was read first time:

By Mr. Davis, by request—

A bill to provide for the deduction on franchises due cities, towns and villages in certain cases.

Referred to the Finance Committee.

The following House bills were read third time and put upon their passage:

By Mr. Gaulden-

A bill to fix the license fee for retailing liquors in Brooks county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 24, nays 0. The bill having received the requisite constitutional majority was passed.

By Mr. Wooten-

A bill to repeal an Act establishing the city court of Mount Vernon, in Montgomery county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 25, nays 0. The bill having received the requisite constitutional majority was passed as amended, and the amendment is as follows: Amend section 3 by adding after the word Governor the following words: Provided that the present judge of said city court shall have authority to sign bills of exceptions and answer writs of certiorari after this Act shall go into effect within the time prescribed by law.

At 12 o'clock the Senate went into executive session.

Leaves of absence were granted Senators Christie and Crumbly.

On motion, the Senate adjourned until to-morrow morning at 10 o'clock.

# SENATE CHAMBER, ATLANTA, GEORGIA, Tuesday, July 7, 1903.

The Senate met pursuant to adjournment at 10 o'clock; was called to order by the President.

Prayer was offered by the Chaplain.

Upon the call of the roll the following members answered to their names:

Allen,	Jordan,	Roberts,
Atkinson,	Lee.	Skelton,
Clark,	Ledford,	Smith,
Clements,	Lewis.	Snead,
Comas,	Mathews,	Stevens,
Crumbley,	McClure,	Sweat,
Dodd,	McLean,	Symons,
Davis,	McMichael,	Taylor,
Duncan of 10th,	Merritt,	Tisinger,
Duncan of 36th,	Middlebrooks,	Turner,
·Golden,	Moore,	Van Buren,
Harrell,	Park,	Williams,
Hightower,	Perry,	Worsham,
Hopkins,	Reid,	Mr. President,
Hudson,		

Those absent were Messrs.—• Christie.

The Journal of yesterday was read and approved.

Mr. Jordan, chairman of the Committee on Agriculture, submitted the following report:

### Mr. President:

The Committee on Agriculture has had under considera-

tion the following bill of the Senate, which it instructs me to report back to the Senate, with the recommendation that the same do pass as amended:

A bill to provide for the registration, sale, inspection and analysis of commercial fertilizers in bulk.

Respectfully submitted.

C. H. JORDAN, Chairman.

Mr. Perry, chairman of the General Judiciary Committee, submitted the following report:

Mr. President:

The General Judiciary Committee has had under consideration the following bill of the Senate, which it in structs me to report back with the recommendation that it do pass.

A bill to repeal an Act approved December 23, 1898, amending an Act to regulate the fees of attorneys and receivers in cases where receivers are appointed.

Also that the following House resolution do pass:

A resolution for the relief of E. A. Buck, of Berrien county.

Respectfully submitted.

H. H. PERRY, Chairman.

The following message was received from the House, through Mr. Boifeuillet, the Clerk thereof:

#### Mr. President:

The House has passed by the requisite constitutional majority the following bills of the House, to wit:

A bill to create the city court of Jefferson.

A bill to amend an Act to create the city court of Swainsboro.

A bill to provide for removal of obstructions from the streams of Clayton county.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

#### Mr. President:

The House has passed by the requisite constitutional majority the following bill of the House, to wit:

A bill to amend section 1378, volume 1 of the Code of 1895, relative to admission to common schools, and for other purposes.

Mr. Hudson, chairman of the Committee on Pensions, submitted the following report:

#### Mr. President:

The Committee on Pensions have had under consideration Resolution No. 78, to pay the pension of Jesse E. Butler to his widow, which they instruct me to report back with the recommendation that the same do pass.

Respectfully submitted.

HUDSON, Chairman.

Mr. Tisinger, chairman of the Special Judiciary Committee, submitted the following report:

#### Mr. President:

The Special Judiciary Committee has had under consideration the following bill of the Senate, which they instruct me to report back with recommendation that same do pass:

A bill to amend an act to create a new charter for the city of Douglas, in the county of Coffee, and for other purposes.

The committee also recommends that the following House bills do pass:

A bill to repeal an Act entitled an Act to establish the city court of Jefferson, in Jackson county, and for other purposes.

A bill to be entitled an Act to amend an Act to establish the city court of Greenville, in and for the county of Meriwether, and for other purposes.

A bill to be entitled an Act to repeal an Act entitled an Act to amend section 610, volume 1, of the Code of 1895, and for other purposes.

Respectfully submitted.

B. L. TISINGER, Chairman.

Mr. Duncan, of 36th, chairman of the Committee on Temperance, submitted the following report:

### Mr. President:

The Committee on Temperance has had under consider-

ation the following bill of the House, which it instructs me to report back with the recommendation that it do not pass:

A bill to establish a dispensary for the sale of intoxicating liquors in the county of Whitfield, Ga., and for other purposes.

Duncan, 36th, Chairman.

The following House bills were read the first time:

## By Mr. Bell of Milton-

A bill to amend section 1378 of volume 1 of the Code relative to admission to schools.

Referred to Education Committee.

# By Mr. Mitchell of Clayton—

A bill to provide for the removal of obstructions from the streams of Clayton county.

Referred to Special Judiciary Committee.

# By Messrs. Hardman and Holder-

A bill to establish the city court of Jefferson in the city of Jefferson.

Referred to Special Judiciary Committee.

# By Mr. Daniel of Emanuel-

A bill to amend the Act establishing the city court of Swainsboro.

Referred to Special Judiciary Committee.

The following House bills and resolutions were read the second time:

## By Mr. Spence--

A resolution to pay pension of Jessie E. Butler to his. widow.

# By Messrs. Knight and Paulk—

A. resolution for the relief of E. A. Buck, of Berrien, county.

# By Messrs. Alexander and Grenade-

A bill to abolish the board of county commissioners of Wilkes county.

This bill was recommitted to the Special Judiciary Committee.

## By Mr. Howell-

A bill to amend the Act establishing the city court of Greenville.

## By Messrs. Hardman and Holder-

A bill to repeal the Act establishing the city court of Jefferson in Jackson county

# By Mr. Fussell—

A bill to amend section 610 of the Code, which provides who shall pay the expense of erecting bridges which connect counties.

The following Senate bills was read second time:

### By Mr. Sweat-

A bill to create a new charter for the town of Douglas in Coffee county

### By Mr. Jordan-

A bill to provide for the registration, sale and inspection of commercial fertilizers.

### By Mr. Worsham-

A bill to repeal an Act to regulate the payment of fees to attorneys and receivers in case when petition and injunction for receiver is filed in this State.

The following Senate bills were read third time and put upon their passage:

# By Mr. Davis—

A bill to amend paragraph 2, section 2 of the constitution of this State, exempting certain property from taxation,

Report of the committee was agreed to.

This being a constitutional amendment the ayes and nays were ordered and the vote is as follows:

Those voting in the affirmative were Messrs.—

Allen,	Duncan of 36th,	Jordan,
Clark,	Golden,	Lee,
Clements,	Harrell,	Ledford,
Comas,	Hightower,	Lewis,
Dodd,	Hopkins,	Mathews,
Davis,	Hudson,	McLean,

McMichael,	Roberts,	Taylor,
Merritt,	Skelton,	Tisinger,
Moore,	Smith,	Van Buren,
Park,	Snead,	Williams,
Perry,	Sweat,	Worsham,
Reid,	Symons,	Mr. President.

Those not voting were Messrs.—

Atkinson, Duncan of 10th, Sievens, Christie, McClure, Turner, Crumbley, Middlebrooks,

Ayes 36, nays 0.

The bill having received the requisite two-thirds majority was passed. The bill is as follows:

#### A BILL

To be entitled an Act to alter and amend paragraph 2 of section 2 of article 7 of the Constitution of the State of Georgia, so as to enlarge the power of exemption from taxation of all places of religious worship or burial; and also all property belonging to colleges, incorporated academies or other seminaries of learning; to provide for the proper ratification of the same by the people; for the promulgation by the Governor of the ratification, in case of ratification, and for other purposes.

SECTION 1. Be it enacted by the General Assembly of Georgia, That paragraph 2 of section 2 of article 7 of the Constitution of the State of Georgia, which is designated assection 5884 of the Code of 1895, be, and the same is, hereby altered and amended by striking out after the words "public property" in the second line of said section the words "places of religious worship or burial," and inserting in lieu thereof the words "all property of any church,"

religious society or sect used as a place of worship, or as a parsonage and not for profit;" and also by striking out after the words "public charity" in the third line of said paragraph the following words, "all buildings erected for and used as a," and inserting in lieu thereof the following words, "all property of any"; and also by striking out the whole of the proviso in the last three lines of said section, and inserting in lieu thereof the following words, "provided the property so exempted be not used for any other purposes than for the benefit of such named institutions, respectively," so that said paragraph, when amended, shall read as follows: "Paragraph 2-Exemptions. General Assembly may, by law, exempt from taxation all public property; all property of any church, religious society or sect used as a place of worship or as a parsonage and not for profit; all institutions of purely public charity; all property of any college, incorporated academy or other seminary of learning; the real and personal estate of any public library and that of any other library association used by or connected with such library; all books and philosophical apparatus; all paintings and statuary of any company or association kept in a public hall and not held or sold as merchandise or for the purposes of sale or gain; provided, the property so exempted be not used for any other purposes than for the benefit of such named institutions, respectively.

SEC. 2. Be it further enacted, That whenever the above proposed amendment to the Constitution shall be agreed to by two-thirds of the members elected to each of the two houses of the General Assembly, and the same has been entered on the journals, with yeas and nays thereon taken, the Governor shall, and he is hereby authorized and instructed to cause said amendment to be published in at least two newspapers in each congressional district in the State for at least two months next preceding the time for holding the next general election.

- Sec. 3. Be it further enacted, That the above proposed amendment shall be submitted for ratification or rejection to the electors of this State at the next general election to be held after publication, as provided for in the second section of this Act, in the several election districts of this State, at which election every person shall be qualified to vote who is entitled to vote for members of the General Assembly. All persons voting at said election in favor of adopting the proposed amendment to the Constitution shall have written or printed on their ballots the words "For the ratification of the amendment to paragraph 2 of section 2 of article 7 of the Constitution of this State," and all persons opposed to the adoption of said amendment shall have written or printed on their ballots the words "Against the ratification of the amendment to paragraph 2 of section 2 of article 7 of the Constitution of this State." And if a majority of the electors qualified to vote for members of the General Assembly voting thereon shall vote for said amendment, then said paragraph 2, as herein amended, shall become a part of the Constitution of this State in lieu of the present paragraph 2 of said Constitution.
- SEC. 4. Be it further enacted, That the Governor be, and he is, hereby authorized and directed to provide for the submission of the amendment proposed in the first section of this Act to a vote of the people, as required by the Constitution of this State in paragraph 1 of section 1 of article 13, and by this Act; and if ratified, the Governor shall, when he ascertains such ratification from the Secretary of State, to whom the returns shall be referred, in the manner as in cases of elections for members of the General Assembly, to count and ascertain the result, issue his proclamation for one insertion in one of the daily papers of this State announcing such result and declaring the amendment ratified.
  - SEC. 5. Be it further enacted, That all laws and parts

of laws in conflict herewith be, and the same are, hereby repealed.

## By Mr. Van Buren-

A resolution directing the State Printer to print and bind certain records.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0. The resolution having received the requisite constitutiona majority was passed.

## By Mr. Davis-

A bill to require taxes to be paid by all persons and corporations in the counties in which by law they are required to be returned.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 32, nays 0. The bill having received the requisite constitutional majority was passed.

## By Mr. Symons-

A bill to exempt from license tax Confederate veterans who are practitioners of law, medicine, or dentistry, in this State.

Report of the committee was agreed to.

Upon the passage of the bill the ayes and nays were ordered, and the vote was as follows:

Those voting in the affirmative were Messrs.—

Lee. Reid, Clark, Clements. Ledford. Roberts, Mathews, Smith, Comas. McLean, Snead, Davis, McMichael, Sweat, Duncan of 36th, Golden, Middlebrooks, Symons, Moore, Taylor, Hightower, Park, Van Buren, Hudson, Jordan, Perry, Williams,

Those voting in the negative were Messrs.—

Allen, Merritt, Tisinger,
Hopkins, Skelton, Worsham,
Lewis, Stevens,

Those not voting were Messrs.—

Atkinson, Dodd, McClure,
Christie, Duncan of 10th, Turner,
Crumbley, Harrell, Mr. President,

Ayes 27, nays 8.

The bill having received the requisite constitutional majority was passed as amended, and the amendments are as follows:

Amend caption by striking the word law in third line and word dentistry in fourth line.

Amend section 1 by striking the words law and dentistry in sixth line.

Amend section 2 by striking the word law in sixteenthline and word dentistry in seventeenth line.

## By Mr. Jordan-

A bill to provide in what county manufacturing and

other companies, whose real estate lies in one or more counties, shall return their property and pay taxes thereon.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 32, nays 0.

The bill having received the requisite constitutional majority was passed.

## By Mr. Tisinger-

A bill to change the time of holding the fall term of Upson superior court.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite constitutional majority was passed.

The following Senate bills were read first time:

# By Mr. Mathews--

A bill to amend paragraph 1, section 1, paragraph 5, section 2, and to add a new paragraph to article 6, section 2, to be known as paragraph 9 of the Constitution.

Referred to Constitutional Amendments Committee.

# By Mr. Duncan-

A bill to amend section 985 of the Civil Code, and for other purposes.

Referred to Committee on Banks.

By Mr. Perry--

A bill to prohibit the giving of passes, franks or allowing reduced rates to individuals over railroads, or the use of telegraph, telephone and express companies in the State of Georgia.

Referred to General Judiciary Committee.

The following resolution was read first time:

By Mr. Smith-

A resolution congratulating Mr. C. H. Mackay, president of the Commercial Cable Company, upon his grand achievement in completing his cable from San Francisco to the Philippines.

Referred to Committee on State of the Republic.

By unanimous consent the House is requested to return to the Senate House bill No. 78, recently passed by the Senate.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

Mr. President:

I am directed by the House to return to the Senate House bill No. 78, the same having been done by request from your body.

The following Senate bill was read third time to be put upon its passage:

By Mr. Howell-

A bill to amend the Act establishing a new charter for the city of Atlanta.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 32, nays 0.

The bill having received the requisite constitutional majority was passed by substitute.

The following Senate bill was read first time:

By Mr. Howell-

A bill to amend the charter of the city of Atlanta.

Referred to Corporations Committee.

The following House bill was read second time with adverse report from the committee:

By Mr. Glenn-

A bill to establish a dispensary for the county of Whitfield.

Report was agreed to and bill was lost.

At 11:30 the Senate went into executive session.

Leave of absence was granted Senators Duncan, 10th, and Hopkins.

On motion the Senate adjourned until to-morrow morning at 10 o'clock.

# SENATE CHAMBER, ATLANTA, GEORGIA, Wednesday, July 8, 1903.

The Senate met pursuant to adjournment at 10 o'clock; was called to order by the President.

Prayer was offered by the Chaplain.

Upon the call of the roll the following members answered to their names:

Jordan, Skelton, Allen, Atkinson, Ledford, Smith, Snead, Christie, Lewis, ·Clark, Mathews, Stevens, McClure, Sweat, Clements, ·Comas. McLean. Symons, McMichael, Taylor, Dodd, Tisinger, Davis, Merritt, Turner, Duncan of 10th, Middlebrooks, Duncan of 36th, Moore, Van Buren, Park, Williams, Golden, Worsham. Harrell, Perry, Hightower, Mr. President. Reid, Hudson. Roberts,

Those absent were Messrs.—

Crumbley, Hopkins, Lee,

The journal of yesterday was read and approved.

Mr. Middlebrooks, chairman of Committee on Corporations, submitted the following report:

#### Mr. President:

The Committee on Corporations has had under consideration the following bills of the House, which I am instructed to report back with the recommendation that they do pass.

A bill to amend an Act concerning the election laws of the city of Cordele, and for other purposes.

Also, a bill to incorporate the town of Mansfield, in the county of Newton, and to provide for the government of the same, and for other purposes.

Also, a bill to amend an Act to incorporate the city of Toccoa in the county of Habersham.

Also, that the following bill of the House do pass as amended:

A bill to amend an Act entitled an Act to reincorporate the town of Waycross as the city of Waycross, and for other purposes.

Respectfully submitted.

L. L. MIDDLEBROOKS, Chairman.

Mr. Duncan, 36th, chairman of the Committee on Temperance, submitted the following report:

#### Mr. President:

The Committee on Temperance has had under consideration the following bill of the House, which it instructs me to report back with the recommendation that it do not pass.

A bill to provide for the establishment of a dispensary for the sale of liquors in the city of Wrightsville and the town of Kite, Johnson county, Georgia, and for other purposes.

Respectfully submitted.

Duncan, 36th, Chairman. Mr. Perry, chairman of the Committee on General Judiciary, submitted the following report:

#### Mr. President:

The Committee on General Judiciary has had under consideration the following bill of the Senate, which I aminstructed to report back with the recommendation that it do pass:

A bill to prescribe how property shall be levied on and sold which is held by a defendant in execution when the plaintiff has obtained a special judgment upon the debt served by a conveyance of the title to such property, and for other purposes.

Also that the following bill of the Senate do not pass:

A bill to provide for the payment of costs in civil cases in superior, city, county and justice courts.

Respectfully submitted.

H. H. PERRY, Chairman.

Mr. Snead, chairman of the Committee on State of the Republic, submitted the following report:

#### Mr. President:

The Committee on Constitutional Amendments has had under consideration the following resolution of the Senate, which it instructs me to report back with the recommendation that the same do pass:

A resolution congratulating Mr. C. H. Mackay, president of the Commercial Cable Company, on completing the cable between San Francisco and the Philippine islands.

Respectfully submitted.

CLAIBORNE SNEAD, Chairman.

Mr. Tisinger, chairman of the Special Judiciary Committee, submitted the following report:

#### Mr. President:

The Special Judiciary Committee has had under consideration the following House bills which it instructs me to report back with the recommendation that they do pass:

A bill to be entitled an Act to amend an Act establishing the city court of Swainsboro, in Emanuel county.

A bill to be entitled an Act to establish the city court of Jefferson in the city of Jefferson.

The committee also instructs me to report back the following House bill with the recommendation that it do not pass:

A bill to be entitled an Act to amend an Act in reference to the road laws of the State of Georgia, providing for the payment of a commutation tax, etc.

Respectfully submitted.

B. L. TISINGER, Chairman.

The following message was received from his Excellency, the Governor, through his Secretary, Mr. Blackburn, to wit:

#### Mr. President:

I am directed by his Excellency, the Governor, to deliver to the Senate a sealed communication, to which he respectfully invites the consideration of your honorable body in executive session.

By unanimous consent House bill No. 78, which has

been passed by the Senate and returned from the House by request, was reconsidered and re-referred to the Corporation Committee.

Senate bill No. 139 was recommitted to the Agricultural Committee.

The following special order was taken up, which is as follows:

By Mr. Kelly—

A bill to revise the election laws of this State.

Mr. Comas moved to indefinitely postpone action on the bill and amendments.

On this motion the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.—

Allen,	Hightower,	Park,
Clements,	Ledford,	Reid,
Comas,	Lewis.	Roberts,
Duncan of 10th,	McClure,	Turner.
Harrell,	McLean,	•

Those voting in the negative were Messrs.—

Atkinson,	Mathews,	Snead,
Christie,	McMichael,	Stevens,
Clark,	Merritt,	Sweat,
Dodd,	Middlebrooks,	Symons,
Davis,	Moore,	Taylor,
Duncan of 36th,	Perry,	Tisinger,
Golden,	Skelton,	Williams,
Hudson,	Smith,	Worsham.
Jordan,		·

Those not voting were Messrs.-

Crumbley, Lee. Mr. President,

Hopkins, Van Buren,

Ayes 14, nays 25.

The motion was lost.

Mr. Comas moved to adjourn, and on this motion the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.—

Comas, Ledford, Reid,
Duncan of 10th, McLean, Symons,
Harrell, Moore, Turner,

Hightower, Park,

Those voting in the negative were Messrs.—

Atkinson, Lewis. Smith. Christie. Mathews. Snead. Clark, McClure, Stevens, Dodd. McMichael, Sweat, Davis. Merritt, Taylor, Duncan of 36th, Middlebrooks, Tisinger, Golden. Perry, Williams, Hudson. Skelton, Worsham, Jordan.

Those not voting were Messrs.—

Allen, Hopkins, Roberts,

Clements, Lee, Mr. President,

Crumbley,

Ayes 11, nays 25.

The motion was lost.

On the amendment to strike out the section leaving the the adoption of this Act to the grand juries, the ayes and nays were ordered and the vote was as follows: Those voting in the affirmative were Messrs.—

Atkinson, McMichael, Stevens, Clark, Merritt, Sweat, Dodd, Middlebrooks, Symons, Duncan of 36th, Moore, Taylor, Hightower, Tisinger, Reid, Hudson. Skelton, Williams, McLean, Snead, Mr. President,

Those voting in the negative were Messrs.—

Allen, Harrell, Perry, Christie. Jordan, Roberts. Clements, Ledford, Smith, Comas, Lewis. Turner, Davis, Van Buren, Mathews. Duncan of 10th. McClure, Worsham, Golden, Park,

Those not voting were Messrs.—

Crumbley, Hopkins, Lee.

Ayes 21, nays 20.

The amendment was adopted and section was stricken.

Report of the committee, which is that this bill be passed by substitute, was agreed to.

Upon the passage of the bill the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.—

Stevens. Atkinson, McLean, McMichael, Sweat, Christie, Merritt, Symons. Clark, Middlebrooks, Taylor, Dodd, Duncan of 36th, Skelton, Tisinger, Smith, Williams. Golden, Suead, Hudson,

Those voting in the negative were Messrs.-

Perry. Allen, Ledford, Reid, Comas. Lewis. Mathews. Roberts, Davis, Duncan of 10th, McClure. Turner, Moore, Van Buren, Harrell. Worsham, Hightower, Park, Jordan,

Those not voting were Messrs.—

Clements, Hopkins, Mr. President. Crumbley, Lee,

Ayes 20, nays 19.

The bill not having received the requisite constitutional majority was lost.

Leave of absence was granted Senator Lee from to-day's session.

The hour of adjournment having arrived the Senate stood adjourned until to-morrow morning at 10 o'clock.

SENATE CHAMBER, ATLANTA, GEORGIA,
Thursday, July 9, 1903.

The Senate met pursuant to adjournment at 10 o'clock; was called to order by the President.

Prayer was offered by the Chaplain.

Upon the call of the roll the following members answered to their names:

Allen, Lee. Skelton, Ledford, Smith, Atkinson, Lewis. Snead, Christie, Stevens. Mathews, Clark, McClure, Sweat, Clements, McLean, Symons, Comas. Taylor. Dodd, McMichael, Tisinger, Merritt. Davis. Duncan of 10th, Middlebrooks, Turner, Duncan of 36th, Moore, Van Buren, Golden. Park. Williams. Worsham, Perry, Harrell, Hudson, Reid, Mr. President,

Jordan, Roberts,

Those absent were Messrs.—

Crumbley, Hightower, Hopkins,

Notice was given that a motion would be made to reconsider the action of the Senate in defeating the Australian ballot bill on yesterday.

The Journal was approved.

Mr. Smith moved to reconsider the action of the Senate in defeating the Australian ballot bill on yesterday.

On this motion the ayes and nays were ordered, and the vote was as follows:

Those voting in the affirmative were Messrs.—

Atkinson, Middlebrooks, Sweat, Christie, Moore, Symons, Mathews, Skelton, Taylor, McLean, Smith, Tisinger, McMichael, Snead. Williams, Merritt.

Those voting in the negative were Messrs.—

Allen, Golden, McClure, Park, Clark, Harrell. Clements, Hudson, Reid, Roberts, Jordan, Comas, Dodd, Lee. Stevens, Ledford. Van Buren, Davis, Lewis. Worsham, Duncan of 10th,

Duncan of 36th,

Those not voting were Messrs.—

Crumbley, Hopkins, Turner,

Hightower, Perry, Mr. President.

Ayes 16, nays 22.

The motion was lost.

On motion, House bill No. 173 was recommitted to the Special Judiciary Committee.

By unanimous consent Senator Golden was added to the Committee on Banks.

The following resolution was read second time and adopted:

By Mr. Smith-

A resolution extending congratulations to Mr. C. H. Mackay, president of the Commercial Pacific Cable Co., on completing his cable from San Francisco to the Philippine islands.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

#### Mr. President:

The House has adopted the following joint resolution, in which the concurrence of the Senate is asked, to wit:

A resolution requesting the Governor to return House bill No. 15.

The House has also concurred in the Senate amendment to House bill No. 470, a bill to repeal an act establishing the county court of Mount Vernon.

Mr. Perry, chairman of the General Judiciary Committee, submitted the following report:

#### Mr. President:

The General Judiciary Committee has had under consideration the following bill of the Senate, which I am instructed to report back with the recommendation that it do pass by substitute:

A bill to authorize justices of the peace to change the time of holding justice's court.

Also, that the following Senate resolution do pass:

A resolution to ratify the action of the mayor and council of the city of Marietta in authorizing Hansell street to be closed from the Western & Atlantic Railroad to Denmead street, and for other purposes.

Also, that the following bill of the Senate do not pass:

A bill to require trial judges to purge jurors where defendant is indemnified by any person, association or cor-

poration, and disqualifying jurors who may be related to any person or interested in any association or corporation indemnifying defendant, and for other purposes.

Respectfully submitted.

H. H. PERRY, Chairman.

Mr. Jordan, chairman of Committee on Agriculture, submitted the following report:

#### Mr. President:

The Committee on Agriculture has had under consideration the following bill of the Senate, which it instructs me to report back with the recommendation that it do not pass.

A bill to prohibit the sale of cotton futures in this State, and for other purposes.

Respectfully submitted.

C. H. JORDAN, Chairman.

The following Senate bills were read second time and recommitted:

By Mr. Davis—

A bill to provide for the deduction on franchises due counties, etc., except amounts due for advalorem taxes.

By Mr. Perry—

A bill to limit the rate of taxation in this State.

The following House bill was read second time and recommitted.

By Mr. Hawes—

A bill to appropriate \$11,500 for equipping buildings at the School for the Deaf.

The following Senate bill was read second time and recommitted:

By Mr. Duncan, 36th—

A bill to amend section 985 of the Code.

The following House bill was read third time to be put put upon its passage:

By Mr. Steed-

A bill to protect Confederate and other veterans in this State mentioned in an Act approved December 9, 1893.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 15, nays 14. The bill not having received the requisite constitutional majoritywas lost.

The following Senate bills and resolutions were read second time:

By Mr Mathews-

A bill to prescribe how property shall be levied on and sold, which is held by a defendant in execution when the plaintiff has obtained a special judgment.

By Mr. Skelton-

A bill to authorize justices of the peace to change the time of holding their courts.

#### By Mr. Howell—

A resolution to ratify the action of mayor and council of Marietta in closing Hansell street.

The following Senate bills were read third time to be put upon their passage.

# By Mr. Sweat-

A bill to amend the Act creating a new charter for the city of Douglas.

Report of committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0. The bill having received the requisite constitutional majority was passed.

## By Mr. Worsham-

A bill to regulate the payment of fees to attorneys and receivers in certain cases.

Report of committee was agreed to.

Upon the passage of the bill the ayes were 29, mays 0. The bill having received the requisite constitutional majority was passed.

The following House bills were read second time.

## By Mr. Carr—

A bill to incorporate the town of Mansfield, in Newton county.

By Mr. Spence-

A bill to amend the Act incorporating the town of Way-cross.

By Mr. Peyton-

A bill to amend the Act incorporating the city of Toccoa.

By Messrs. Hardman and Holder-

A bill to establish the city court of Jefferson in the city of Jefferson.

By Mr. Daniel-

A bill to amend the Act establishing the city court of Swainsboro.

The following Senate bill was read second time and recommitted to the General Judiciary Committee:

By Mr. Perry—

A bill to prohibit the giving of passes on railroads or franks on other companies to any individual in this State.

The following House bills and resolutions were read third time to be put upon their passage:

By Messrs. Knight and Paulk-

A resolution for the relief of E. A. Buck, of Berrien county.

Report of the committee was agreed to.

Upon the passage of the resolution the ayes were 24, nays 0.

The resolution having received the requisite constitutional majority was passed.

# By Mr. Spence-

A resolution to pay pension of Jessie E. Butler to his widow.

Report of the committee was agreed to.

This being an appropriation the ayes and nays were ordered, and the vote was as follows:

Those voting in the affirmative were Messrs.-

Atkinson,	Jordan,	Reid,
Clark,	Lee.	Roberts,
Clements,	Ledford,	Skelton,
Dodd,	Lewis.	Smith,
Davis,	Mathews,	Snead,
Duncan of 10th,	McClure,	Stevens,
Duncan of 36th,	McLean,	Sweat,
Golden,	McMichael,	Taylor,
Harrell,	Merritt,	Tisinger,
Hightower,	Moore,	Williams,
Hudson,	Park,	Worsham,

# Those not voting were Messrs.—

Allen,	Hopkins,	Turner,
Christie,	Middlebrooks,	Van Buren,
Comas,	Perry,	Mr. President,
Crumbley,	Symons,	

Ayes 33, nays 0.

The resolution having received the requisite constitutional majority was passed

By Mr. Fussell-

A bill to repeal an Act to amend section 610 of the Code relative to the expenses of erecting bridges which connect counties.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Hardman and Holder-

A bill to repeal the Act establishing the city court of Jefferson in Jackson county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Howell-

A bill to amend the Act establishing the city court of Greenville.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite constitutional majority was passed.

Leave of absence was granted Senator Middlebrooks until Monday

Mr. Tisinger, chairman of the Special Judiciary Committee, submitted the following report:

#### Mr. President:

The Special Judiciary Committee has had under consideration the following House bills, which I am instructed to report back with the recommendation that the same do pass, as amended:

## By Mr. Kelley of Glascock-

A bill to repeal an Act entitled an Act to create an advisory board of commissioners for Laurens and Glascock counties, etc.

Also, that the following House bill do pass:

## By Mr. Mitchell of Clayton—

A bill to be entitled an Act to provide for the removal of obstructions, etc., from creeks and other running streams in the county of Clayton.

Also, that the following House bill be recommitted to the General Judiciary Committee:

A bill to repeal an Act to establish the city court of Dublin in and for the county of Laurens, etc.

Respectfully submitted.

B. L. TISINGER, Chairman.

House bill 383 was recommitted to the Special Judiciary Committee.

The following House bills were read the second time:

## By Mr. Kelly--

A bill to repeal an Act creating an advisory board of commissioners for Laurens and Glascock counties.

## By Mr. Mitchell-

A bill to provide for the removal of obstructions from the streams of Clayton county

The following resolution from the House was read and adopted:

## By Mr. Tignor-

A resolution requesting the Governor to return to the House House bill No. 15, and the House was requested to return said bill to the Senate:

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

#### Mr. President:

I am directed to return to the Senate House bill No. 15, in response to joint resolution 240.

## At 11:30 the Senate went into executive session.

On motion, when the Senate adjourns to-morrow it will stand adjourned until Monday morning at 11 o'clock.

On motion, the Senate adjourned until to-morrow morning at 10 o'clock.

SENATE CHAMBER, ATLANTA, GEORGIA, Friday, July 10, 1903.

The Senate met pursuant to adjournment at 10 o'clock; was called to order by the President.

Prayer was offered by the Chaplain.

On motion, roll-call was dispensed with.

Notice was given that at the proper time a motion would be made to reconsider the action of the Senate in defeating House bill No. 38 on yesterday.

The journal was read and approved.

By unanimous consent the following House bill was reconsidered and recommitted to the Committee on Constitutional Amendments.

By Mr. Tignor-

A bill to limit the power of taxation in this State.

Mr. Ledford, chairman of the Committee on Education, submitted the following report:

Mr. President:

The Committee on Education has had under consideration the following Senate bill, which it instructs me to report back with the recommendation that the same do pass.

A bill to provide that no person living within the terri-

tory embodied in any local public school shall be eligible to serve on the county board of education.

Respectfully submitted.

M. L. LEDFORD, Chairman.

Mr. Ledford, chairman of the Committee on Engrossing, submitted the following report:

Mr. President:

The Committee on Engrossing have examined and found properly engrossed and ready for transmission to the House the following bills of the Senate, to wit:

A bill to repeal an Act approved December 23, 1898, amending an Act regulating the fees of attorneys and receivers.

Also, a bill to amend an Act creating a new charter for the city of Donglas.

Respectfully submitted.

M. L. LEDFORD, Chairman.

The following message was received from his Excellency, the Governor, through his Secretary, Mr. Blackburn, to wit:

Mr. President:

I am directed by his Excellency, the Governor, to deliver to the Senate a sealed communication, to which he respectfully invites the consideration of your honorable body in executive session. The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

#### Mr. President:

The House has passed by the requisite constitutional majority the following bills of the House, to wit:

A bill to prescribe the manner of electing county school commissioners by the electors of each county.

A bill to provide for the teaching of the elementary principles of agriculture and civil government in the schools of this State.

The House has also concurred in the Senate amendment to House bill No. 470, which is a bill to repeal an Act to create the city court of Mount Vernon.

The following Senate bills were read second time:

# By Mr. Park--

A bill to provide that no person living within the territory embodied in any local public school shall be eligible to serve on the county board of education.

The following Senate bills were read second time with adverse reports from committees. The report was agreed to and bills lost:

## By Mr. Duncan-

A bill to require trial judges to purge juries in certain cases.

#### By Mr. Skelton-

A bill to provide the payment of costs in certain cases in the superior courts and justice courts.

#### By Mr. Golden-

A bill to prohibit the sale of cotton futures in this State.

The report of the committee was disagreed to, and the bill recommitted to the Agricultural Committee.

The following Senate bills and resolutions were read third time and put upon their passage:

## By Mr. Howell-

A resolution to ratify the action of the mayor and city council of Marietta in closing Hansell street,

Report of the committee was agreed to.

Upon the passage of the resolution the ayes were 23, nays 0.

The resolution having received the requisite constitutional majority was passed.

# By Mr. Mathews-

A bill to prescribe how property shall be levied on and sold which is held by a defendant in execution when the plaintiff has obtained a special judgment, and for other purposes.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 30, nays 0.

The bill having received the requisite constitutional majority was passed.

The following House bills were read first time:

By Messrs. Steed and Hixon-

A bill to elect county school commissioners by the people.

Referred to Committee on Education.

By Messrs. Hardman and Shackelford-

A bill to provide for the teaching of the elementary principles of agricultural and civil government in the common schools of this State.

Referred to Agricultural Committee.

Mr. Tisinger, chairman of the Special Judiciary Committee, submitted the following report:

Mr. President:

The Special Judiciary Committee has had under consideration the following House bill, which it directs me, as its chairman, to report back to the Senate with the recommendation that it do pass:

By Messrs. Alexander and Grenade of Wilkes county-

A bill to be entitled an Act to abolish the board of county commissioners of roads and revenues and public property for the county of Wilkes, and for other purposes.

Respectfully submitted.

B. L. TISINGER, Chairman.

Mr. Christie, chairman of the Committee on Banks, submitted the following report:

Mr. President:

The Committee on Banks having had under consideration the following Senate bill, request me to report it back with the recommendation that it do pass:

A bill to be entitled an Act to amend section 985 of the Civil Code, and for other purposes.

Respectfully submitted.

S. R. CHRISTIE, Chairman.

Mr. Mathews moved to reconsider the action of the Senate in defeating the following bill of the House:

By Mr. Steed-

A bill to further protect Confederate veterans in this State.

The motion prevailed.

The following Senate bill was read third time to be put upon its passage:

By Mr. Duncan, 36th-

A bill to amend section 985 of the Civil Code:

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 25, nays 0.

The bill having received the requisite constitutional majority was passed.

The following House bills were read third time to be put upon their passage:

## By Mr. Mitcham-

A bill to provide for the removal of obstructions from the streams of Clayton county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 24, nays 0.

The bill having received the requisite constitutional majority was passed.

#### By Mr. Carr-

A bill to incorporate the town of Mansfield in Newton county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 24, nays 0.

The bill having received the requisite constitutional majority was passed.

## By Mr. Peyton-

A bill to amend the Act incorporating the city of Toccoa in Habersham county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 26, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Spence-

A bill to amend the Act incorporating the town of Waycross, in Ware county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite constitutional majority was passed as amended, and the amendments are as follows:

Amend section 2 by striking out in line 10 the figures 1903 and inserting in lieu thereof 1904.

#### By Messrs. Hardman and Holder-

A bill to establish the city court of Jefferson in the city of Jefferson.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite constitutional majority was passed.

# By Messrs. Alexander and Grenade—

A bill to abolish the board of county commissioners for the county of Wilkes.

On motion, this bill was tabled.

# By Mr. Kelly-

A bill to repeal the Act creating the advisory board of commissioners for Laurens and Glascock counties.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite constitutional majority was passed, as amended:

Amend by adding between the words "Act to" and "create" in the second line of caption the following words: "repeal an Act entitled an Act."

## By Mr. Daniel-

A bill to amend the Act establishing the city court of Swainsboro in Emanuel county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 26, nays 0.

The bill having received the requisite constitutional majority was passed.

Senator Jordan was granted leave of absence from Monday's session.

At 11:20 the Senate went into executive session.

Mr. Perry, chairman of the Committee on Constitutional Amendments, submitted the following report:

#### Mr. President:

The Committee on Constitutional Amendments has had

under consideration the following bill of the Senate, which it instructs me to report back with the recommendation that it do pass as amended:

A bill to amend article 7, section 1, of the Constitution of this State so as to limit the annual tax rate to five mills on each dollar of the value of the taxable property in this State, except for the purpose of providing a sinking-fund as provided in section 14 of said article, and for the purpose of repelling invasion, etc.

Respectfully submitted.

H. H. PERRY, Chairman.

The following Senate bill was read third time to be put upon its passage:

By Mr. Perry—

A bill to limit the power of taxation in this State by amending article 7, section 1, of the Constitution.

Report of the committee was agreed to.

This being a constitutional amendment the ayes and nays were ordered, the vote being as follows:

Those voting in the affirmative were Messrs.—

Allen, Harrell, McMichael. Atkinson, Hudson. Merritt, Christie, Jordan, Moore, Clark, Lee. Park. Comas, Ledford. Perry. Dodd. Lewis. Reid, Duncan of 10th, Mathews, Roberts. Duncan of 36th, McClure, Skelton, Golden. McLean, Snead,

Stevens, Tisinger, Williams,
Sweat, Turner, Worsham,
Taylor, Van Buren, Mr. President,

Those not voting were Messrs.—

Clements, Hightower, Smith, Crumbley, Hopkins, Symons,

Davis, Middlebrooks,

Ayes 36, nays 0.

The bill having received the requisite two-thirds majority was passed as amended, and the bill is as follows:

#### A BILL

To be entitled an Act to amend article 7, section 1, of the Constitution of this State, so as to limit the levy of taxes on property for any one year by the General Assembly to five mills on each dollar of the value of the taxable property in the State, except for the purpose of providing a sinking-fund as provided in section 14 of said article, and for the purpose of repelling invasion, suppressing insurrection or defending the State in time of war.

SECTION 1. Be it enacted by the General Assembly of the State of Georgia, That article 7, section 1, of the Constitution of this State be amended by adding to said section the following paragraph, as paragraph 2: "The levy of taxes on property for any one year by the General Assembly for all purposes except to provide a sinking-fund as provided in section 14 of this article, and to provide for repelling invasion, suppressing insurrection or defending the State in time of war, shall not exceed five mills on each dollar of the value of the taxable property in the State."

SEC. 2. Be it further enacted, That whenever the above proposed amendment to the Constitution shall be agreed to

by two-thirds of the members elected to each of the two houses of the General Assembly, and the same has been entered on the Journals, with the year and nays thereon taken, the Governor shall, and he is hereby authorized and instructed to cause said amendment to be published in at least two newspapers in each congressional district in this State for at least two months next preceding the time for holding the next general election.

SEC. 3. Be it further enacted, That the above proposed amendment shall be submitted for ratification or rejection to the electors of this State at the next general election to be held after publication, as provided for in the second section of this Act, in the several election districts of this State, at which election every person shall be qualified to vote who is entitled to vote for members of the General Assembly All persons voting at said election in favor of adopting the proposed amendment to the Constitution shall have written or printed on their ballots the words ratification of the amendment to article 7, section 1, of the Constitution of this State, so as to limit the levy of taxes on property for any one year by the General Assembly to five mills on each dollar of the value of taxable property in the State, except for the purpose of providing a sinkingfund and for repelling invasion, suppressing insurrections or defending the State in time of war." And all persons opposed to the adoption of said amendment shall have written or printed on their ballots the words "Against the ratification of the amendment of article 7, section 1, of the Constitution of this State, so as to limit the levy of taxes on property for any one year by the General Assembly to five mills on each dollar of the value of taxable property in the State, except for the purpose of providing a sinking-fund and for repelling invasion, suppressing insurrection or defending the State in time of war." a majority of the electors qualified to vote for members of the General Assembly voting thereon shall vote for said amendment, then said amendment shall become a part of the Constitution of this State.

- SEC. 4. Be it further enacted, That the Governor be, and he is, hereby authorized and directed to provide for the submission of the amendment proposed in the first section of this Act to a vote of the people, as required by the Constitution of this State in paragraph 1 of section 1 of article 13, and by this Act; and if ratified, the Governor shall, when he ascertains such ratification from the Secretary of State, to whom the returns shall be referred, in the manner as in cases of elections for members of the General Assembly, to count and ascertain the result, issue his proclamation for one insertion in one of the daily papers of this State, announcing such result, and declaring the amendment ratified.
- SEC. 5. Be it further enacted, That all laws and parts of laws in conflict herewith be, and the same are, hereby repealed.

On motion, the Senate adjourned until Monday morning at 11 o'clock.

SENATE CHAMBER, ATLANTA, GEORGIA,
Monday, July 13, 1903.

The Senate met pursuant to adjournment at 11 o'clock: was called to order by the President.

Prayer was offered by Senator Allen.

On motion, the roll-call was dispensed with.

The Journal was read and approved.

Mr. Duncan, chairman of the Committee on Engrossing, submitted the following report:

#### Mr. President:

The Committee on Engrossing has examined the following Senate bills and resolution, which are found to be correctly engrossed and ready for transmission to the House, to wit:

A bill to amend article 7, section 1, of the Constitution so as to limit the levy of taxes by the General Assembly for any one year to five mills, except for purposes stated therein, and for other purposes.

A bill to prescribe how property shall be levied on and sold, which is held by defendant in execution, when the plaintiff has obtained a special judgment upon the debt secured by a conveyance of the title to such property.

A bill to amend section 985 of the Civil Code, and for other purposes.

A resolution ratifying the action of the mayor and council of Marietta in authorizing Hansell street to be closed for a distance of about 200 feet, and to quiet the title of the Marietta Paper Mills, and for other purposes.

Respectfully submitted.

A. B. DUNCAN, Chairman.

The following Senate bills were read first time:

By Mr. Comas (by request)—

A bill to authorize the issue and sale of bonds by the county of Pearce to build and equip schoolhouses.

Referred to Education Committee.

By Mr. Comas (by request)—

A bill to establish a system of public schools for Pearce county.

Referred to Education Committee.

By Mr. Park--

A bill to amend paragraph 2 of section 5269 of the Code relative to the competency of witnesses.

Referred to General Judiciary Committee.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

Mr. President:

The House has passed by the requisite constitutional majority the following bills of the House, to wit:

By Mr. Gaulden of Brooks-

A bill to amend the charter of the town of Morven.

By Messrs. Mayson and Candler of DeKalb--

A bill to amend an Act approved December 9, 1898, incorporating Edgewood.

By Mr. Overstreet of Screven--

A bill to repeal an Act to establish a system of public schools for Sylvania school district.

By Mr. Kendrick-

A bill to amend Act incorporating Sharon.

By Mr. Brock—

A bill to repeal the Act creating a board of commissioners for Dade county.

By Mr. Morris of Cobb-

A bill to incorporate Mount Zion school district.

By Mr. Conner of Bartow-

A bill to protect fish in Bartow county.

By Mr. Mann of Tattnall-

A bill to amend the charter of the town of Lyons-

By Mr. Stanford of Harris-

A bill to amend the charter of Hamilton.

By Mr. Griffin of Twiggs-

A bill to amend the Act creating a board of commissioners for Twiggs county.

The House has also passed by the requisite constitutional majority the following bills of the Senate, to wit:

By Mr. Sweat of 5th-

A bill to establish dispensaries in Coffee county.

By Mr. Comas of 3d-

A bill to create a board of road and bridge commissioners for Appling county.

The House has also adopted the following joint resolution and invites the concurrence of the Senate in the same:

## By Mr. Calvin of Richmond-

A resolution inviting the Honorable Chancellor of the University of Georgia to address the General Assembly

Mr. Middlebrooks, chairman of the Committee on Corporations, submitted the following report:

#### Mr. President:

The Committee on Corporations has had under consideration the following House bill, which it instructs me to report back with the recommendation that the same do pass as amended.

A bill to incorporate the town of East Ellijay, and for other purposes.

Respectfully submitted.

L. L. MIDDLEBROOKS, Chairman.

The following House bills were read first time.

# By Mr. Overstreet

A bill to repeal an Act to establish a system of public schools for Sylvania school district.

Referred to Education Committee.

# By Mr. Kendrick-

A bill to amend an Act, approved December 24, 1884, incorporating the town of Sharon, Taliaferro county, Ga.

Referred to Corporation Committee.

By Mr. Gaulden—

A bill to amend the charter of the town of Morven.

Referred to Corporation Committee.

By Messrs. Mayson and Candler-

A bill to amend the Act incorporating the town of Edgewood by repealing section 2 of said Act.

Referred to Corporation Committee.

By Mr. Brock-

A bill to repeal an Act creating a board of commissioners of roads and revenues for Dade county.

Referred to Special Judiciary Committee.

By Mr. Conner-

A bill to protect the fish in the streams of Bartow county

Referred to Agricultural Committee.

By Mr. Stanford-

A bill to amend the charter for the town of Hamilton.

Referred to Corporation Committee.

By Mr. Mann-

A bill to amend the charter of Lyons, in Tattnall county

Referred to Corporation Committee.

By Mr. Griffin—

A bill to amend an Act creating a board of commissioners of roads and revenues for Twiggs county.

Referred to Special Judiciary Committee.

By Mr. Morris-

A bill to incorporate the Mount Zion school district.

Referred to Education Committee.

By unanimous consent the following bill of the House was taken from the table to be put upon its passage.

By Messrs. Alexander and Grenade—

A bill to abolish the board of county commissioners of Wilkes county

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 24, nays 0. The bill having received the requisite constitutional majority was passed.

The following House bill was read the second time:

By Mr. Welch-

A bill to incorporate the town of East Ellijav, in Gilmer county

The following House resolution was read and concurred in. By Mr. Calvin—

A resolution inviting Chancellor Hill, of the University. of Georgia, to address the General Assembly.

At 11:30 the Senate went into executive session.

The following message was received from his Excellency, the Governor, through his Secretary, Mr. Blackburn, to wit:

Mr. President:

I am directed by his Excellency, the Governor, to deliver to the Senate a sealed communication, to which he respectfully invites the consideration of your honorable body in executive session.

The following Senate bill was read first time:

By Mr. Worsham-

A bill to prevent betting or selling of pools upon the result of any trial or contest of skill, speed or power of endurance of man or beast in this State.

Referred to General Judiciary Committee.

On motion, the Senate adjourned until to-morrow morn-ing at 10 o'clock.

# SENATE CHAMBER, ATLANTA, GEORGIA, Tuesday, July 14, 1903.

The Senate met pursuant to adjournment at 10 o'clock; was called to order by the President pro tem.

Prayer was offered by the Chaplain.

Upon the call of the roll the following members answered to their names:

Allen,	Jordan,	Roberts,
Atkinson,	Lee,	Skelton,
Christie,	Ledford,	Smith,
Clark,	Lewis.	Snead,
Clements,	Mathews,	Stevens,
Comas,	McClure,	Sweat,
Dodd.	McLean,	Symons,
Davis,	McMichael,	Taylor,
Duncan of 10th,	Merritt,	Tisinger,
Duncan of 36th,	Middlebrooks,	Turner.
Golden,	Moore,	Van Buren,
Harrell.	Park,	Williams,
Hightower,	Perry,	Worsham,
Hopkins,	Reid,	Mr. President,
Hudson,		

Those absent were Messrs.—

Crumbley,

The Journal of yesterday was read and approved.

The following message was received from the House through Mr. Boifcuillet, the Clerk thereof:

## Mr President:

The House has passed by the requisite constitutional majority the following bills of the House, to wit:

## By Mr. Flynt of Spalding-

A bill to amend the charter of the city of Griffin, and for other purposes.

## By Mr. Grice of Pulaski-

A bill to amend the Act establishing dispensaries in the county of Pulaski, and for other purposes.

## By Mr. Stovall of Chatham-

A bill to grant to the mayor and aldermen of Savannah certain lands on which to erect a public building, and for other purposes.

## By Messrs. Booth and Lawrence of Walton-

A bill to repeal an Act to create a board of commissioners for Walton county, and for other purposes.

## By Mr. Grice of Pulaski-

A bill to amend the charter of the city of Hawkinsville, and for other purposes.

## By Messrs. Morris and McLain of Cobb-

A bill to authorize the mayor and council of Roswell to issue bonds, and for other purposes.

## By Mr. Mitchell of Thomas-

A bill to amend the charter of the town of Cairo, in Thomas county, and for other purposes.

By Mr. Grice of Pulaski-

A bill to amend an Act to create a board of commissioners for Pulaski county, and for other purposes.

By Mr. Davison of Greene--

A bill to amend the charter of Greensboro, and for other purposes.

By Mr. Cann of Chatham-

A bill to amend section 3 of an Act approved September 29, 1881, so as to provide greater compensation for the deputy jailer and jail guards, and for other purposes.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

Mr. President:

The House has passed by the requisite constitutional majority the following resolution of the House, to wit:

A resolution providing for an appropriation to meet the deficiency in the insurance fund of 1901.

Mr. Tisinger, chairman of the Special Judiciary Committee, submitted the following report:

Mr. President:

The Special Judiciary Committee has had under consideration the following House bills, which it instructs me to report back with the recommendation that they do pass:

A bill to amend an Act in reference to the road laws

of Georgia, providing for the payment of a commutation tax, and for other purposes.

A bill to repeal an Act creating a board of commissioners of roads and revenues for the county of Dade.

Respectfully submitted.

B. L. TISINGER, Chairman.

Mr. Perry, chairman of the General Judiciary Committee, made the following report:

Mr. President:

The General Judiciary Committee has had under consideration the following bill of the Senate, which I am instructed to report back with the recommendation that it do pass.

A bill to amend paragraph 2 of section 5269 of the Civil Code of 1895, relative to the competency of witnesses, etc.

Also that the following bill of the Senate do not pass:

A bill to fix the age of consent in this State, providing a penalty therefor, and for other purposes.

Also that the following bill of the House do pass.

A bill to regulate the filing of second claims under the claim laws of this State, and to punish any officer violating this Act, and for other purposes.

Respectfully submitted.

H. H. Perry, Chairman. We, the undersigned members of the General Judiciary Committee of the Senate, respectfully dissent from the majority report of the General Judiciary Committee in recommending the passage of House bill No. 46, and submit this our minority report: that the said bill do not pass, for the present law is just, adequate and does not require the amendments in said bill to meet the ends of justice.

Respectfully submitted.

B. L. TISINGER, W P DODD, R. L. MERRITT, H. H. PERRY

The following resolution was read first time:

By Mr Davis—

A resolution to authorize the State bank examiner to employ a stenographer.

Referred to Finance Committee.

The following Senate bills were read first time:

By Mr. Sweat-

A bill to create a new charter for the town of Nichols, in Coffee county.

Referred to the Special Judiciary Committee.

By Mr. Skelton-

A bill to prohibit the manufacture of spirituous liquors in Hart county.

Referred to Special Judiciary Committee.

Mr. Mathews, chairman of the Committee on Railroads, submitted the following report:

#### Mr. President:

The Committee on Railroads has had under consideration the following Senate bill, which it instructs me to report back with the recommendation that the same do pass-

A bill to amend section 2171 of vol. 2 of the Code of 1895, allowing railroads to change line for purpose of reducing grades and curvatures, and for other purposes.

The committee has also had under consideration the following Senate bills, which it instructs me to report back with the recommendation that they do not pass.

A bill to enlarge the powers of the railroad commission.

A bill to prescribe the venue of actions for penalties incurred by railroad companies for violating rules and orders of the railroad commission.

The committee has also had under consideration the following House bill, which it instructs me to report back with the recommendation that it do not pass:

A bill to extend the powers of the Railroad Commission of Georgia.

Respectfully submitted.

H. A. Mathews, Chairman.

Mr. Middlebrooks, chairman of the Committee on Corporations, submitted the following report:

#### Mr. President:

The Committee on Corporations has had under consideration the following House bills, which it instructs me to report back with the recommendation that they do pass:

A bill to amend the charter of Lyons.

A bill to amend the charter of the town of Hamilton.

A bill to amend the charter of the town of Sharon.

A bill to amend the charter of the town of Morven.

The following bill of the House has been under consideration which I am instructed to report back with the recommendation that it do pass as amended:

A bill to provide a board of commissioners of roads and revenues for the county of Monroe.

Respectfully submitted.

L. L. Middlebrooks, Chairman.

The following Senate bills were read first time:

By Mr Park-

A bill to amend the Act establishing the dispensary in Hogansville.

Referred to Special Judiciary Committee.

By Mr. Hopkins--

A bill to permit and authorize the defendant in action now pending or that may hereafter be brought by the Statefor the recovery of certain lots of land to plead as defense thereto possession of said lands for the period of twenty years.

Referred to General Judiciary Committee.

By Mr. Smith--

A bill to authorize street railroad companies to change their roads in cities by consent of mayor and council, and for other purposes.

Referred to Railroad Committee.

Mr. Hopkins, chairman of the Committee on Appropriations, made the following report:

#### Mr. President:

'The Committee on Appropriations has had under consideration the following bill of the House which I am instructed to report back with the recommendation that it do pass:

A bill to appropriate the sum of cleven thousand five hundred dollars (\$11,500) for the purpose of building and equipping an addition to the dormitory of the Georgia School for the Deaf, and for other purposes.

Also, that the following resolution of the House do pass:

A resolution to appropriate \$9,360 for payment of indigent widows.

Respectfully submitted.

H. W HOPKINS, Chairman.

Mr. Symons, chairman of the Enrollment Committee, submitted the following report:

Mr President.

The Committee on Enrollment has examined the following Acts which are found to be correctly enrolled and ready for the signatures of the President of the Senate and Speaker of the House of Representatives, to wit:

An Act to establish dispensaries for Coffee county for the sale of spirituous, vinous and malt liquors and create a board of managers for the same, and for other purposes.

An Act to create a board of road and bridge commissioners for Appling county, define their powers and prescribe their duties, and for other purposes.

Respectfully submitted.

W F Symons, Chairman.

The following Senate bill was read second time and recommitted to the General Judiciary Committee:

By Mr. Mathews—

A bill to provide for levy and sale of property, and for other purposes.

The following House bills were read first time:

By Messrs. Booth and Lawrence-

A bill to repeal an Act creating a board of county commissioners for Walton county

Referred to Special Judiciary Committee.

By Mr. Stovall-

A bill to grant unto the mayor and aldermen of Savannah authority to erect public buildings.

Referred to Special Judiciary Committee.

By Mr. Grice-

A bill to amend the charter of the city of Hawkinsville.

Referred to Corporation Committee.

By Messrs. Morris and McLain-

A bill to authorize the mayor and council of Roswell to issue bonds not to exceed \$11,000 to improve the streets.

Referred to Corporation Committee.

By Mr. Grice-

A bill to amend the Act creating the board of county commissioners of Pulaski county

Referred to Special Judiciary Committee.

By Mr. Mitchell-

A bill to amend the charter of the town of Cairo.

Referred to Corporation Committee.

By Mr. Davison—

A bill to amend the charter of the city of Greensboro, in Greene county.

Referred to Corporation Committee.

By Mr. Flynt-

A bill to amend the charter of the city of Griffin so as to create a board of commissioners of lights and water.

Referred to Corporation Committee.

By Mr. Cann—

A bill to amend section 3 of an Act so as to provide greater compensation for deputy jailers of Chatham county.

Referred to Special Judiciary Committee.

By Mr. Grice-

A bill to amend the Act establishing a dispensary in Pulaski county.

Referred to Temperance Committee.

The following House resolution was read first time:

By Messrs. Davis and Howell-

A resolution to provide for an appropriation to meet the deficiency in the insurance fund of 1901.

Referred to Appropriation Committee.

The following Senate bill was read first time:

By Mr. Lee-

A bill to incorporate the Kensington school district, in Walker county

Referred to Education Committee.

The following Senate bills were read second time:

By Mr. Park-

A bill to amend paragraph 2 of section 5269 of the Code.

By Mr. Van Buren-

A bill to amend section 2171 of the Code, volume 2.

The following House bills were read second time:

By Mr. Thurman-

A bill to amend an Act in reference to the road laws of Georgia, providing for the payment of a commutation tax.

By Mr. Felder--

A bill to regulate the filing of second claims under the claim laws of Georgia.

The following House bills were read second time with adverse report from the committee:

By Mr. Kent-

A bill to establish a dispensary in the city of Wrightsville and town of Kent.

Report of committee was agreed to and bill lost.

By Messrs. Steed and Hixon--

A bill to extend the powers of the railroad commission.

On motion, this bill was tabled and 100 copies ordered printed.

The following House bill was read second time and recommitted to the Temperance Committee:

By Mr. Womble-

A bill to prohibit the manufacture of liquors in Upson county.

The following House bill was read third time to be put upon its passage:

By Messrs. Shannon and Walker-

A bill to provide a board of county commissioners for Monroe county, and for other purposes.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 31, nays 0.

The bill having received the requisite constitutional majority was passed as amended.

#### AMENDMENT.

By Mr. Worsham, 22d District-

Amend section 1, by striking out all of said section and inserting in lieu thereof the following:

Be it enacted by the General Assembly of Georgia, and it is hereby enacted by authority of the same, That there shall be a board of commissioners of roads and revenues for the county of Monroe to consist of five members until January 1, 1905; after January 1, 1905, to consist of three members. Said board to be known as the board of commissioners of roads and revenues for Monroe county

That J. S. Josey and L. J. Sutton, who are at present members of the board of commissioners of roads and revenues for said county, and whose terms of office expire January 1, 1905, and J. O. Holmes, L. O. Hollis and W. A. Thrash, who are members of said board, and whose terms of office do not expire until January 1, 1907, shall constitute the board of five members until January 1, 1905, and that J. O. Holmes, L. O. Hollis and W. A. Thrash shall consitute the board from January 1, 1905, to January 1, 1907, or until their successors are appointed and qualified.

That the last grand jury to meet in said county prior to January 1, 1907, shall elect three members of said board; one for one year, one for two years and one for three years. That thereafter the last grand jury each year shall elect one member of the board to succeed the member whose term of office expires on January 1, next thereafter. In case of a vacancy, the first grand jury that meets after the vacancy occurs shall fill it for the unexpired term.

After January 1, 1907, the term of office of all the members of said board shall be three years, except where there is a vacancy and an election to fill an unexpired term. No two members of said board shall reside in the same militia district, nor within five miles of each other.

Amend section 5, in second line, by striking out the words "1903" after the word "January" and before the word "and" and inserting in lieu thereof the word "1904."

Amend section 10 by adding between the words "members" and "superintendent" the words "or any citizen of said county."

# REPORT OF MINORITY OF RAILROAD COM-MITTEE OF THE SENATE ON HOUSE BILL No. 27

This bill proposes to extend the powers of the Railroad Commission so as to confer on it the power to regulate the time within which the several railroad companies of this State receive, receipt for and forward freights, and to regulate the time within which freights shall be delivered to consignees.

We dissent from the report as adopted and made by the majority of said committee for the following reasons to wit:

The bill is in line with the general policy of the law creating the Railroad Commisson and defining its powers. This policy and the purpose of the law providing the Railroad Commission both were that the Commission should act as an arbitrator with plenary powers to settle all differences between railroads of the State and the people dependent upon them for transportation, and it is especially provided that one principal thing to be considered by the Commission in the exercise of its duties and powers, is the prevention of discrimination between people and communities on the part of the railroads.

The Commission, under the law, received ample power to fix rates, to be charged upon all transportation of freight and passengers between points inside the State. enormous power (which the railroads predicted would work ruin and wreck to all railroad operations in the State) has been so exercised and administered as to afford great relief to the people, and has been administered with such a degree of conservatism and fairness toward the railroads that the representatives of the railroads appearing before the committee in antagonism to this bill now under consideration have, with great unanimity, stated that the Commission as now constituted, and as heretofore constituted, has been reasonable and just, and that the objection to the present bill grows out of the fear that there may not always be so fair, just and conservative a Commission as we now have and have had heretofore.

This objection raised to this bill is much more weighty as a reason why the power to fix rates should be withdrawn

from the Commission, and as an argument for the abolition of the Commission altogether than as a just argument against this bill.

Another argument insisted on before the committee is that at times of unusual congestion of freight it may be impossible for railroads to move freight as soon as offered; that with even with a full equipment, adequate to all usual needs of the railroad, it sometimes occurs that delays are inevitable from extraordinary demands for transportation.

There is, no doubt, strength in this argument, but it is adequately met by reference to the bill itself, which does not undertake to require any impossibilities of the railroad companies, but only authorizes the Commission to "regulate the time within which and the manner in which the several railroad companies in this State shall receive, receipt for and forward all freights tendered for transportation."

The bill itself does not require impossibilities nor contemplate that the Commission will require impossibilities. It only authorizes the making of reasonable regulations in this matter.

The fact that the Commission has not already such power is surprising, and is manifestly a legislative oversight, merely.

We cannot think that in a general law, placing in the hands of the Commission general power to make rates and to prevent discrimination of all kinds, as between individuals and communities, it was contemplated that a rail-road company might be allowed to take its own time in serving its patrons, discriminating against one or more communities or against one or more individuals in the matter of prompt shipments.

The Railroad Commission in its last report says: "Many complaints have from time to time been made to the Comsion that the railroad companies, principally at non-com-

petitive points on the lines of their several roads, fail or refuse to receive, receipt for and forward promptly to destination goods which are tendered to them for shipment. This is notably true during the cotton and fertilizer seasons and of shipments of those commodities. The companies, when complaint is made, seek to excuse the failure so to receive, receipt for and forward to destination goods offered for shipment upon the ground that their rolling stock is otherwise employed. The Commission is of the opinion that every railroad company engaged in business within the State of Georgia should provide itself with rolling stock and other equipment adequate to the prompt and expeditious transportation of any freights which may be offered. It is our opinion that the duty of the railroad companies and the interest of the business and shipping public demand that this should be done. The so-called extraordinary conditions arising from the sudden access of great volumes of freight, in view of their necessarily frequent recurrence should be anticipated, and provision should be first made by the railroad companies of this State for the movement of traffic originating in this State and offered for shipment by its citizens."

Instances have been cited before the committee of great hardships and loss by failure of the railroad companies to furnish cars and transportation of cotton at non-competitive points on their roads, the cars being carried by and beyond such points in order to use them at competitive points.

Also of great and inexcusable delay in delivery of freight. The reply is made that the person injured has his right of action for damages against the road, but this reply is not satisfactory. What is wanted is not rights of action but a prevention of wrongs. The one is but a poor and inadequate substitute for the other. Business cannot be conducted safely with reliance upon delays of lawsuits, but can be so conducted where reliance can be placed upon the

prompt obtaining of right and fair treatment on the part of railroads.

No railroad, doing all in its power to comply with the reasonable rules which the Commission would be authorized to frame under this bill, would suffer. No such railroad should object to the reasonable rules that would be made and enforced under the provisions of this bill.

H. A. MATHEWS, E. H. McMichael.

#### MINORITY REPORT ON SENATE BILL No. 751.

We beg leave to file this minority report in dissent from the report of the Railroad Committee, which was adverse to the passage of the above bill. This bill proposed to extend the authority of the Railroad Commission so as toempower it to require railroad companies to construct and maintain side-tracks, where the public convenience demands them, and where the volume of business warrants their construction.

We base our dissent from the majority report largely uponthe cogent reasons, simply and clearly stated, in the recommendation by the present Commission in its annual report to the Governor, a copy of which has been presented to the members of the General Assembly.

The Commission, having constant oversight of the rail-road situation, and having a more intimate acquaintance with the situation than any other individual or body, sees the need for additional authority. The railroads say, through their regular representatives before our committee, that there is no need of this additional power to be conferred on the Commission because they always stand ready to put in side-tracks where the business will warrant, and that it is a source of danger to railroads to be required to put in too-many side-tracks.

In our opinion a sufficient answer to this rather inconsistent reasoning is that the bill does not undertake to lay down any rules, but only to authorize the Commission, as the fair and just arbiter between the people and the railroads, to decide any question that may arise as to the necessity for and the possibility of the construction of side-tracks.

The general idea of the Railroad Commission law is to prevent anything on the part of railroads in the nature of arbitrary discrimination or oppression. Railroads are great benefactors to the country, and in the main are conducted in aliberal and fair spirit towards the public, but it is well to realize that a "little brief authority" inclines some railroad officials as it does other people, to a show of arbitrary opposition to reasonable and just requests of those dependent upon them.

In our opinion the very existence of such a power as is intended by this bill to be vested in the Commission will have a most salutary effect in the direction of preventing unjust or discriminating refusals by railroad companies to provide reasonable and necessary side-track facilities.

The fact that the Commission has no such power or authority as this bill contemplates is surprising and not in keeping with the general purpose of the law creating the Commission and defining its powers.

> H. A. Mathews, H. H. Perry

At 10:30 the Senate went into executive session.

On motion, the Senate adjourned until to morrow morning at 10 o'clock.

# SENATE CHAMBER, ATLANTA, GEORGIA, Wednesday, July 15, 1903.

The Senate met pursuant to adjournment at 10 o'clock; was called to order by the President pro tem.

Prayer was offered by the Chaplain.

Upon the call of the roll the following members answered to their names:

Hudson, Roberts, Allen, Jordan, Atkinson, Skelton, Lee. Smith, Christie. Ledford, Snead, Clark. Lewis, Stevens, Clements, Comas, Mathews, Sweat, McClure, Crumbley, Symons, Dodd, McLean, Taylor, McMichael, Tisinger, Davis, Duncan of 10th, Merritt, Turner, Middlebrooks, Duncan of 36th, Van Buren, Golden, Moore. Williams. Harrell, Park. Worsham. Hightower, Perry, Mr. President. Hopkins, Reid,

The journal of yesterday was read and approved.

Mr. Ledford, chairman of the Committee on Education, submitted the following report:

#### Mr. President.

The Committee on Education has had under consideration the following Senate bills, which it instructs me to report back with the recommendation that they do pass:

A bill providing for a uniform system of text-books for the public schools, and for other purposes.

A bill to authorize the issue and sale of bonds by the county of Pierce in building and equipping schoolhouses.

A bill to establish a system of public schools for Pierce county.

The committee also recommends that the following House bill, which it has had under consideration, do pass:

A bill to repeal an Act establishing a system of public schools for Sylvania school district.

The committee has also had under consideration the following House bill which it instructs me to report back with the recommendation that it do not pass:

A bill to amend section 1378 of Vol. 1 of the Code of 1895 relative to admission to common schools, and for other purposes.

Respectfully submitted.

M. L. LEDFORD, Chairman.

Mr. Tisinger, chairman of the Special Judiciary Committee, submitted the following report:

#### Mr. President:

The Special Judiciary Committee has had under consideration the following Senate bills, which it instructs me to report back with the recommendation that they do pass:

A bill to create a new charter for the town of Nichols.

A bill to prohibit the manufacture of distilled spirits in Hart county.

The committee has also had under consideration the following House bills, which it instructs me to report back with the recommendation that they do pass:

A bill to amend section 3 of an Act approved September 29, 1881, so as to provide greater compensation for the deputy jailer and the jail guards.

A bill to grant to the mayor and aldermen of Savannah certain land on which to erect public buildings.

A bill amending an Act creating a board of commissioners of roads and revenues for Pulaski county.

The committee has also had under consideration the following House bill, which it instructs me to report back with the recommendation that the same do pass, as amended:

A bill to repeal an Act creating a board of commissioners of roads and revenues for Walton county.

Respectfully submitted.

B. L. TISINGER, Chairman.

Mr. Perry, chairman of the General Judiciary Committee, made the following report:

## Mr. President:

The Committee on General Judiciary has had under consideration the following bill of the Senate, which I am instructed to report back with the recommendation that it do pass as amended:

A bill to provide for the levy and sale of the equity of redemption in cases of conveyances and deeds executed to-property to secure debts, and for other purposes.

Respectfully submitted.

H. H. PERRY, Chairman.

The following minority report was submitted:

#### MINORITY REPORT ON SENATE BILL No. 140.

We, the undersigned members of the General Judiciary Committee of the Senate, respectfully dissent from the majority report of the General Judiciary Committee in recommending that said bill "do pass as amended," and submit as our report that said bill do not pass, for, in our opinion, the present law is just and adequate; that the passage of said bill would be unwise, inexpedient, against the interest of real estate owners, making real estate less desirable security for long loans; injurious to the interest of the farm owners of this State; liable to create confusion of titles and conducive of much litigation, rendering the owners of equity of redemption less able to pay debts.

Respectfully submitted.

R. L. MERRITT.

The following Senate bill was read second time and recommitted to the General Judiciary Committee:

## By Mr. Hopkins—

A bill to permit and authorize the defendants in action now pending or that may hereafter be brought by the State for the recovery of certain lots of land to plead as defense thereto possession of land for a period of 20 years. Mr. Middlebrooks, chairman of the Committee on Corporations, submitted the following report:

## Mr. President:

The Committee on Corporations has had under consideration the following House bills, which it instructs me to report back with the recommendation that they do pass:

A bill to authorize the mayor and council of Roswell to issue bonds not to exceed \$11,000 for improving streets.

A bill to amend the charter of the town of Cairo, in Thomas county.

A bill to amend the charter of the city of Greensboro.

A bill to amend the charter of Hawkinsville.

A bill to amend the charter of Griffin.

Respectfully submitted.

L. L. MIDDLEBROOKS, Chairman.

The following Senate bill was read first time:

## By Mr. Lewis--

A bill to secure to the several counties of this State the public school fund to which they are now or may hereafter be entitled under the law

Referred to Finance Committee.

# By Mr. Mathews-

A bill to provide for the registry of transfers of bonds for title.

Referred to General Judiciary Committee.

## By Mr. Snead—

A resolution relative to the revision of the penal system of Georgia.

Referred to General Judiciary Committee.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

#### Mr. President:

The House has passed by the requisite constitutional majority the following bills of the House, to wit:

## By Mr. Rankin—

A bill to incorporate the town of Plainville.

## By Mr. Rainey-

A bill to amend the charter of the town of Parrott.

## By Mr. Rankin-

A bill to provide for the election of railroad commissioners by the people.

## By Mr. Blackburn-

A bill to authorize street railroad companies to engage in the business of furnishing steam heat and power.

# By Mr. Tracy—

A bill to prohibit the sale of spirituous, vinous and malt liquors in Webster county, except as provided in this act.

By Mr. Rainey-

A bill to amend an Act to incorporate the town of Bronwood.

By Messrs. Morris and McLain—

A bill to incorporate Elizabeth school district.

By Messrs. Mayson and Candler-

A bill to amend the charter of Decatur.

By Mr. Underwood—

A bill to allow voters of Blue Ridge district to vote for "fence" or "no fence."

By Mr. Calvin—

A bill to author ze the mayor and council of Augusta to lay out and mamuain boulevards.

By Mr. Bell of Emanuel-

A bill to incorporate Nunez, in Emanuel county.

By Messrs. Mitchell, Rountree and Singletary—

A bill to amend the charter of the town of Metcalfe, in Thomas county.

By Mr. Stanford-

A bill to amend section 10 of the town of Chipley.

#### By Mr. Mills—

A bill to amend the charter of Ball Ground, in Chero-kee county.

The following Senate bills were read second time:

#### By Mr. Comas (by request)—

A bill to authorize the issue and sale of bonds by the county of Pierce to build and equip schoolhouses.

## By Mr. Comas-

A bill to establish a system of public schools in Pierce county.

## By Mr. Sweat-

A bill to create a new charter for the town of Nichols, in Coffee county.

## By Mr. Skelton--

A bill to prohibit the manufacture of spirituous liquors in Hart county.

Mr. Symons, chairman of the Enrollment Committee, submitted the following report:

#### Mr President:

The following Acts have been duly enrolled, signed by the President of the Senate and Speaker of the House of Representatives, and delivered to the Governor, to wit:

An Act to establish dispensaries for Coffee county for the sale of spirituous, vinous and malt liquors, and create a board of managers for the same, and for other purposes. An Act to create a board of road and bridge commissioners for Appling county, define their powers and prescribe their duties, and for other purposes.

Respectfully submitted.

W F Symons, Chairman.

Mr. Hopkins, chairman of the Committee on Appropriations, submitted the following report:

Mr. President:

The Committee on Appropriations has had under consideration the following House resolution, which it instructs me to report back with the recommendation that the same do pass:

A resolution providing for an appropriation to meet the deficiency in the insurance fund of 1901.

Respectfully submitted.

H. W. HOPKINS, Chairman.

Mr. Davis, chairman Finance Committee, submitted following report:

Mr. President:

The Committee upon Finance to whom were referred the following bills and resolutions, having investigated the the same, respectfully report as follows:

A bill by Mr. Davis (by request) of 17th district, being bill No. 145 entitled an Act to provide for the deduction on franchises due counties, cities, towns, etc., with recommendation that same do pass.

A resolution by Mr. Davis of 17th district, "to authorize the State Bank Examiner to employ a stenographer, and for other purposes," with recommendation that same do pass.

House resolution No. 134, by Mr. Hall of Bibb, "to require the Joint Committee on Finance heretofore appointed to make complete investigation of the office of Secretary of State, School Commissioner," etc., with recommendation that same do pass.

W H. Davis, Chairman.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

Mr. President:

The House has passed by the requisite constitutional majority the following bills of the House, to wit:

By Mr. Mayson-

A bill to amend the charter of Decatur.

By Mr. Griffin—

A bill to amend an act to incorporate the town of Jeffersonville.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

Mr. President:

The House has passed by the requisite constitutional majority the following bill of the Senate, to wit:

By Mr. Skelton of the 31st-

A bill to provide for collection of the revenue of the state arising under special occupation and license taxes by issuing execution therefor.

The following Senate bill was read third time to be put upon its passage:

By Mr. Dodd—

A bill to establish a uniform system of school-books for the State of Georgia.

Report of the committee was agreed to.

Mr. McMichael moved to table the bill, and on this motion the ayes and nays were ordered and the vote is as follows:

Those voting in the affirmative were Messrs.—

Crumbley, Reid, Tisinger,
Ledford, Stevens. Van Buren,
McMichael, Symons, Williams,
Perry,

Those voting in the negative were Messrs.—

Atkinson, Hudson, Moore, Christie, Jordan, Park, Clark, Lee. Roberts. Clements, Lewis, Skelton, Comas, Mathews, Smith. Dodd, McClure, Sucad, Duncan of 10th, Sweat, McLean, Duncan of 36th, Merritt, Taylor. Golden, Middlebrooks, Worsham, Harrell.

Those not voting were Messrs.—

Allen, Hightower, Turner,

Davis, Hopkins, Mr. President.

Ayes 10, nays 28.

The motion was lost.

Mr. Mathews moved to reconsider the action of the Senate in agreeing to the report of the committee for the purpose of offering amendments, which motion prevailed.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 24, nays 9.

The bill having received the requisite constitutional majority was passed as amended, and the amendments are as follows:

Amend section 16 by inserting after the figures "1898" in third line the words "and all counties whose contracts will have expired by July 1, 1904, and which have not up to this time made new contracts."

Amend section 6 of the printed bill by striking from the fourth line the words "from the first general or worthy class."

Amend section 5 of the printed bill by moving line thirteen and inserting it after the word "thereof" in the tenth line. Also, by striking out of the tenth line the words "nor shall," and by inserting after the word "commission" in said line the words "shall not."

Amend section 4 by striking from the second line after

the word "direct" down to the word "class" in the sixth line.

Amend section 2, in the eighth line, by adding after the word "hygiene" the words "elementary principles of agriculture and the elements of civil government."

Amend section 3: strike out "commissioners" and insert "commissioners" in third line of section 3.

Senate bill No. 125 was recommitted to the Railroad Committee.

The following Senate bill was read third time to be put upon its passage.

#### By Mr. Mathews--

A bill to provide for levy and sale of property.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 28, nays 1.

The bill having received the requisite constitutional majority was passed as amended, and the amendments are as follows:

(1) By striking from section 1 all after the word "that" in the fifth line and substituting the following: "Whenever any person or corporation shall own or hold any definite equitable interest in property within this State, such as the equity of redemption under a deed or bill of sale given to secure a debt or the right to the conveyance of title or property from the owner thereof upon the payment of the balance of the purchase money, where a portion of the

purchase money has been paid, such interest shall be considered legal assets, and shall be subject to levy and sale under any legal process against such person or corporation as other property owned or held by such person or corporation, and by the same officers and by the same method as is now provided by law for the levy and sale of property of the character of that in which such interest is held or owned."

(2) By striking from section 2 the words "of the defendant" in the third line, and by striking all of section 2 after the word "sold" in the fourth line and substituting the following: "As above provided such sale shall divest all said right and interest hitherto belonging to the defendant in such process in and to said property, and shall vest said right and interest absolutely in the purchaser at such sale, subject to the rights of the holder of the legal title to said property, and the holder of said legal title shall have the right, notwithstanding said sale, to pursue any of the remedies now provided by law for the purpose of collecting from the property or the defendant in such process any debt to secure which such legal title is held or any portion of the purchase money remaining due on property to which the legal title is retained."

Amend caption of bill by striking out all of said caption after the word "sale" and inserting in lieu thereof the words "of equitable interests in property in this State, and for other purposes."

## By Mr. Park—

A bill to provide that no person living within the territory embodied in any local public school shall be eligible to serve on the county board of education.

On motion, this bill was recommitted to the Committee on Education.

By Mr Park--

A bill to amend paragraph 2 of section 5269 of the Code.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite constitutional majority was passed.

The following resolution was read and adopted:

By Mr. Comas-

A resolution ordering 100 copies of Senate bill No. 75 printed; also 100 each of the minority reports on same bill; also 100 copies of House bill No. 27

The following House bill was read third time to be put upon its passage:

By Mr. Hawes--

A bill to appropriate \$11,500 to build and equip additional buildings for the Georgia School for the Deat.

Report of the committee was agreed to.

This being an appropriation the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.—

Allen, Clements, Duncan of 10th,
Atkinson, Comas, Duncan of 36th,
Christie, Crumbley, Golden,
Clark, Dodd, Harrell,

Jordan, Moore, Sweat, Lee. Park, Symons, Ledford. Perry, Taylor, Lewis. Reid, Tisinger, Mathews, Roberts, Turner, McClure, Skelton, Van Buren, McLean, Smith, Williams, McMichael, Snead, Worsham, Merritt, Stevens,

Those not voting were Messrs.—

Davis, Hopkins, Middlebrooks, Hightower, Hudson, Mr. President.

Ayes 38, nays 0.

The bill having received the requisite constitutional majority was passed.

The following House bills were read first time:

# By Mr. Bell of Emanuel—

A bill to incorporate the town of Nunez, in Emanuel county

Referred to Corporation Committee.

## By Mr. Rankin-

A bill to elect the Railroad Commission of Georgia by the people.

Referred to General Judiciary Committee.

## By Mr. Rainey--

A bill to amend the charter of the town of Parrott.

Referred to Corporation Committee.

By Mr. Rankin-

A bill to incorporate the town of Plainville, in Gordon county.

Referred to Corporation Committee.

By Mr. Calvin--

A bill to authorize the city council of Augusta to lay out and maintain boulevards in Augusta.

Referred to Special Judiciary Committee.

By Mr. Rainey—

A bill to amend an Act incorporating the town of Bronwood.

Referred to Corporation Committee.

By Messrs. Mayson and Candler-

A bill to amend the charter of the town of Decatur so as to authorize the mayor and council to pave sidewalks.

Referred to Corporation Committee.

By Mr. Underwood--

A bill to allow the voters of Blue Ridge district, in White county, to vote on "fence" or "no fence."

Referred to Agricultural Committee.

# By Mr. Blackburn-

A bill to authorize the railroad companies to engage in the business of steam heating.

Referred to Special Judiciary Committee.

#### By Mr. Stanford-

A bill to amend section 10 of the charter of Chipley, andfor other purposes.

Referred to Education Committee.

## By Messrs. Morris and McLain--

A bill to incorporate the Elizabeth school district, in Cobb county.

Referred to Corporation Committee.

# By Mr. Mills--

A bill to amend the charter of Ball Ground, in Cherokee county.

Referred to Corporation Committee.

# By Messrs. Mitchell, Rountree and Singletary --

A bill to amend the charter of the town of Metcalf, in Thomas county.

Referred to Corporation Committee.

By Mr. Tracy-

A bill to prohibit the sale of spirituous liquors in Webster county, except as provided, and for other purposes.

Referred to Temperance Committee.

By Messrs. Mayson and Candler-

A bill to authorize the mayor and council of Decatur to issue bonds to construct water-works and sewerage.

Referred to Special Judiciary Committee.

By Mr. Griffin-

A bill to amend the Act incorporating the town of Jeffersonville, in Twiggs county

Referred to Corporation Committee.

#### SENATE BILL No. 145.

The undersigned begs leave to submit a minority report on the above bill, as follows:

First. The bill is unconstitutional in that it seeks to vary the uniform operation of a general tax law upon property.

Second. The bill does not propose to deduct from the amount of tax levied upon the franchise of the corporations mentioned any property tax levied by a municipality upon such franchise. If it did, there would be some appearance of legality in the measure, but it proposed to deduct from such franchise tax levied under a general law, in the language of the bill, any sum of money paid or to be paid on account for or in consideration for such franchise. It

would be just as regular to deduct from a general tax levy the rent paid on land.

Third. The annual charges or burdens upon any franchise should be and doubtless must and will be considered in assessing the value of such franchise, and it is at such point that the company can be relieved from any alleged unjust burdens.

Fourth. The companies asking for legislation not having acquiesced in a just assessment upon these franchises cannot, with any grace, come before the Assembly to ask for the proposed relief.

H. H. PERRY,
M. L. LEDFORD,
Members of Committee on Finance.

The following Senate resolution was read second time:

By Mr. Davis—

A resolution to authorize the State bank examiner to employ a stenographer at a salary not to exceed \$75.00 per month.

On motion, the Senate adjourned until to-morrow morning at 10 o'clock.

SENATE CHAMBER, ATLANTA, GEORGIA, Thursday, July 16, 1903.

The Senate met pursuant to adjournment at 10 o'clock; was called to order by the President.

Prayer was offered by the Chaplain.

Upon the call of the roll the following members answered to their names:

Hudson, Roberts, Allen. Skelton, Jordan, Atkinson, Smith, Christie, Lee. Snead, Ledford, Clark, Lewis. Stevens, Clements. Sweat, Mathews, Comas, Symons, McClure, Crumbley, Taylor, McLean, Dodd. Davis. Merritt, Tisinger, Duncan of 10th, Middlebrooks. Turner, Moore, Duncan of 36th. Van Buren, Park, Williams, Golden, Harrell, Perry, Worsham, Reid, Mr. President, Hightower, Hopkins,

Those absent were Messrs.—

McMichael,

The Journal of yesterday was read and approved.

Senator McMichael was granted leave of absence.

Mr. Duncan, chairman of the Committee on Engrossing, submitted the following report:

#### Mr. President:

The Committee on Engrossing has examined the following Senate bills, which it finds correctly engrossed, and ready for transmission to the House, to wit:

A bill to provide for a uniform system of text-books, and for other purposes.

A bill to provide for the levy and sale of the equity of

redemption in cases of sales to secure debt, and for other purposes.

A bill to amend paragraph 2 of section 5269 of the Code of 1895 relative to the competency of witnesses.

Respectfully submitted.

A. B. DUNCAN, Chairman.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

#### Mr. President:

The House has passed by the requisite constitutional majority the following bills of the House, to wit:

A bill to incorporate the Bronwood school district.

A bill to incorporate the Whitesburg school district.

A bill to amend an Act to incorporate the Upshaw school district.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

#### Mr. President:

The House has passed by the requisite constitutional majority the following bills of the House, to wit:

A bill to pay off and retire bonds of this State as they mature by the levy and collection of a tax for that purpose.

A bill to incorporate the town of Boykin, in the county of Miller.

A bill to amend an Act to make it unlawful for any person to employ or contract with as tenant or cropper any person under contract with another.

A bill to abolish the days of grace recognized by custom in this State.

A bill to incorporate the town of Armena, in Lee county.

A bill to incorporate the Parrott school district, in Terrell county.

A bill to create a board of commissioners of roads and revenues for Randolph county.

A bill to amend the charter of Decatur, in DeKalb-county, so as to construct a system of sewerage.

A bill to incorporate the Sasser school district.

A bill to amend on Act to amend the charter of the town of Montezuma.

Mr. Tisinger, chairman of the Special Judiciary Committee, submitted the following report:

#### $Mr. \ President:$

The Special Judiciary Committee has had under consideration the following House bills, which it instructs me to report back with the recommendation that they do pass:

A bill to authorize street railways to engage in the business of furnishing steam heat or power.

A bill to amend the charter of the town of Decatur.

A bill to allow the city council to lay out and maintain boulevard drainage, park and parkways outside the limits and within five miles.

Respectfully submitted.

B. L. TISINGER, Chairman.

Mr. Symons, chairman of the Committee on Enrollment, submitted the following report:

Mr. President:

The Committee on Eurollment report as duly enrolled and ready for the signatures of the President of the Senate and Speaker of the House the following Act, to wit:

An Act providing for the collection of the revenue of the State arising under special occupation and license taxes by issuing execution therefor, and for other purposes.

Respectfully submitted.

W F Symons, Chairman.

Mr. Ledford, chairman of the Committee on Education, submitted the following report:

Mr President:

The Committee on Education has had under consideration the following House bill, which it instructs me to report back with the recommendation that the same do not pass:

A bill to prescribe the manner of electing county school commissioners by the electors of each county

Respectfully submitted.

M. L. LEDFORD, Chairman.

The following House bills were read first time:

By Mr. Duggan---

A bill to create a board of county commissioners for Randolph county.

Referred to Special Judiciary Committee.

By Mr. Bush-

A bill to incorporate the town of Boykin, in Miller county.

Referred to Corporation Committee.

By Mr. Calvin-

A bill to abolish the days of grace recognized by custom in this State.

Referred to General Judiciary Committee.

By Mr. George—

A bill to amend the Act making it unlawful to contract with a person under contract as a tenant or cropper with another person.

Referred to General Judiciary Committee.

By Mr. Reid—

A bill to pay off and retire the bonds of this State as they become due.

Referred to Finance Committee.

By Messrs. Steed and Hixon-

A bill to incorporate the Whitesburg school district, in Carroll county.

Referred to Education Committee.

By Mr. Rainey-

A bill to incorporate the Bronwood school district, in Terrell county.

Referred to Education Committee.

By Mr. McBride-

A bill to incorporate the town of Armena, in Lee county.

Referred to Corporation Committee.

By Mr. Morris-

A bill to amend an Act to incorporate the Upson school district.

Referred to Education Committee.

By Mr. Rainey-

A bill to incorporate the Sasser school district, in Terrell county.

Referred to Education Committee.

By Mr. Rainey—

A bill to incorporate the Parrott school district, in Terrell county.

Referred to Education Committee.

By Mr. Hayes—

A bill to amend section 2 of an Act amending the charter of the town of Montezuma, in Macon county.

Referred to Corporation Committee.

By Messrs. Mayson and Candler-

A bill to amend the charter of the town of Decatur so as to authorize the mayor and council to construct a system of water-works.

Referred to Corporation Committee.

The following Senate bill was read first time:

By Mr. Park-

A bill to require broad tire wagons to be used on the public roads of this State.

Referred to Special Judiciary Committee.

The following message was received from his Excellency, the Governor, through his Secretary, Mr. Blackburn, to wit:

Mr. President:

I am directed by his Excellency, the Governor, to deliver to the Senate a sealed communication, to which he respectfully invites the consideration of your honorable body in executive session.

Mr. Perry, chairman of the General Judiciary Committee, made the following report:

#### Mr. President:

The General Judiciary Committee has had under consideration the following bill of the Senate, which I am instructed to report back with the recommendation that it do not pass:

A bill to prevent betting or selling of pools upon the result of any trial or contest of skill, speed or power of endurance of man or beast, in this State, and for other purposes.

H. H. PERRY, Chairman.

Mr. Symons, chairman of the Committee on Enrollment, submitted the following report:

Mr. President:

The Committee on Enrollment report as duly enrolled, signed by the President of the Senate and Speaker of the House and delivered to the Governor, the following Act, to wit:

An Act providing for the collection of the revenue of the State arising under special occupation and license taxes by issuing execution therefor, and for other purposes.

Respectfully submitted.

W F Symons, Chairman.

Mr. Middlebrooks, chairman of the Committee on Corporations, submitted the following report:

Mr. President:

The Committee on Corporations has had under consider-

ation the following bills of the House, which it instructs me to report back with the recommendation that they do pass:

A bill amending the charter of Edgewood

A bill amending the charter of Ball Ground.

A bill incorporating the town of Bronwood.

A bill incorporating the Elizabeth school district, in Cobb county.

A bill incorporating the town of Nunez, in Emanuel county.

A bill to amend the charter of the town of Metcalf, in. Thomas county

A bill to amend the charter of the town of Decatur.

A bill to incorporate the town of Plainville.

A bill to amend the charter of the town of Parrott, in Terrell county.

The committee has also had under consideration the following House bill, which it instructs me to report back with the recommendation that the same be recommitted to the Special Judiciary Committee:

A bill to amend the charter of the town of Jeffersonvillein Twiggs county.

Respectfully submitted.

L. L. MIDDLEBROOKS, Chairman.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

#### Mr. President:

The House has passed by the requisite constitutional majority the following bills of the House, to wit:

A bill to incorporate the town of Baconton, in Mitchell county.

A bill to incorporate the town of Barney, in Brooks county.

The following Senate bills and resolutions were read third time to be put upon their passage:

#### By Mr. Davis—

A resolution to authorize the State Bank Examiner to employ a stenographer at a salary not to exceed \$75.00 per month.

Report of the committee was agreed to.

Upon the passage of the resolution the ayes were 30, nays 9.

The resolution having received the requisite constitutional majority was passed.

## By Mr. Davis-

A bill to provide for the deduction on franchises due counties, cities, towns and villages of amounts paid except amounts due for ad valorem taxes on account of physical property.

Report of the committee was agreed to.

Upon the passage of the bill the ayes and nays were ordered, and the vote was as follows:

Those voting in the affirmative were Messrs.—

Hightewer, Skelton, Atkinson, Christie, Hudson, Smith, Stevens, Jordan, Clark, Mathews, Sweat, Clements. Middlebrooks, Symons, Dodd, Davis, Moore, Van Buren, Duncan of 10th, Park, Williams, Reid, Worsham, Duncan of 36th, Harrell, Roberts,

Those voting in the negative were Messrs.—

Allen, Lee. Perry,
Comas, Ledford, Snead.
Crumbley, Lewis. Taylor,
Golden, McLean, Tisinger,
Hopkins, Merritt, Turner,

Those not voting were Messrs.—

McClure, McMichael, Mr. President.

Ayes 26, nays 15.

The bill having received the requisite constitutional majority was passed.

The following Senate bills were read first time:

By Mr. Taylor-

A bill to amend the Act incorporating the town of Menlo, in Chattooga county.

Referred to Special Judiciary Committee.

The following Senate bills were read third time to be be put upon their passage:

# By Mr. Comas (by request)—

A bill to authorize the issue and sale of bonds by the county of Pierce.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 33, nays 0.

The bill having received the requisite constitutional majority was passed.

# By Mr. Comas (by request)—

A bill to establish a system of public schools in Pierce county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 35, nays 0.

The bill having received the requisite constitutional majority was passed.

# By Mr. Sweat-

A bill to create a new charter for the town of Nichols, in Coffee county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 33, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Skelton--

A bill to prohibit the manufacture of spirituous liquors in Hart county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 25, nays 0.

The bill having received the requisite constitutional majority was passed.

On motion, when the Senate adjourns to-morrow it will stand adjourned until Monday morning at 11 o'clock.

On motion, House bill No. 39 was made special order for next Tuesday, immediately after the reading of the Journal.

The following House bills were read first time:

By Mr. Maples-

A bill to incorporate the town of Baconton, in Mitchell county.

Referred to Corporation Committee.

By Mr. Gaulden-

A bill to incorporate the town of Barney, in Brooks county.

Referred to Corporation Committee.

House bill No. 80 was recommitted to Education Committee.

Mr. Ledford, chairman of the Committee on Education, submitted the following report:

#### Mr. President:

The Committee on Education has had under consideration the following House bill, which it instructs me to report back with the recommendation that the same do pass as amended:

A bill to incorporate the Leonard school district, in Cobb county.

Respectfully submitted.

M. L. LEDFORD, Chairman.

The following House bills were read second time:

#### By Mr. Overstreet—

A bill to repeal the Act establishing a system of public schools in Sylvania school district.

## By Messrs Morris and McLain—

A bill to authorize the mayor and council of Roswell to issue bonds.

## By Mr. Cann-

A bill to amend section 3 of an Act so as to provide greater compensation for the deputy jailer of Chatham county.

## By Mr. Kendrick-

A bill to amend the Act incorporating the town of Sharon, in Taliaferro county.

By Messrs. Mayson and Candler-

A bill to amend the charter of the town of Decatur so asto authorize the mayor and council to pave sidewalks.

By Mr. Rainey-

A bill to amend the act incorporating the town of Bron-wood.

By Messrs. Morris and McLain-

A bill to incorporate the Elizabeth school district, in Cobb county

By Mr. Mitchell-

A bill to amend the charter of the town of Cairo.

By Mr. Stanford-

A bill to amend the charter of the town of Hamilton.

By Mr. Brock-

A bill to repeal an Act creating the board of county commissioners of Dade county.

By Messrs. Booth and Lawrence—

A bill to repeal an Act creating the board of county commissioners of Walton county.

By Mr. Grice—

A bill to amend the charter of the city of Hawkinsville.

#### By Mr. Rankin-

A bill to incorporate the town of Plainville, in Gordon county.

#### By Mr. Gaulden-

A bill to amend the charter of the town of Morven.

## By Mr. Calvin—

A bill to authorize the city council of Augusta to lay out boulevards in said city.

## By Messrs. Morris and McLain-

A bill to incorporate the Leonard school district in Cobb county.

## By Mr. Mann—

A bill to amend the charter of Lyons.

# By Mr. Blackburn-

A bill to authorize street railroad companies to furnish steam heat.

# By Messrs. Mitchell, Rountree and Singletary.

A bill to amend the charter of the town of Metcalf.

# By Mr. Bell--

A bill to incorporate the town of Nunez, in Emanuel county.

By Mr. Flynt—

A bill to amend the charter of the city of Griffin so as to create a board of light and water commissioners.

By Mr. Mills--

A bill to amend the charter of Ball Ground, in Cherokee county.

By Messrs. Mayson and Candler--

A bill to amend the Act incorporating Edgewood.

By Mr. Rainey--

A bill to amend the charter of the town of Parrott.

.By Mr. Stovall-

A bill to grant unto the mayor and council of Savannah land on which to erect public building.

By Mr. Grice—

A bill to amend the Act creating the board of county commissioners of Pulaski county.

By Messrs. Mayson and Candler—

A bill to amend the charter of the town of Decatur so as to authorize said city to issue bonds to erect water-works and sewerage.

By Mr. Davison-

A bill to amend the charter of the city of Greensboro.

#### By Mr. Hall-

A resolution to require the Joint Committee on Finance to investigate the offices of Secretary of State, State School Commissioner and Commissioner of Agriculture.

#### By Mr. Davis—

A resolution for the appropriation of \$9,360 for payment of indigent widows.

#### By Messrs. Davis and Howell-

A resolution to provide for an appropriation to meet the deficiency in the insurance fund of 1901.

House bill No. 599 was recommitted to the Special Judiciary Committee.

The following House bill was read third time to be put upon its passage:

## By Mr. Welch--

A bill to incorporate the town of East Ellijay, in Gilmer county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 28, nays 0.

The bill having received the requisite constitutional majority was passed as amended. The amendment is by striking from section 8, line 17, the word liquor

At 12:20 the Senate went into executive session.

Leaves of absence were granted Senators Duncan and Smith.

The following resolution was adopted:

By Mr. Comas—

A resolution inviting Hon. John Allen of Mississippi to address the General Assembly.

On motion, the Senate adjourned until to-morrow morning at 10 o'clock.

SENATE CHAMBER, ATLANTA, GEORGIA, Friday, July 17, 1903.

The Senate met pursuant to adjournment at 10 o'clock; was called to order by the President.

Prayer was offered by the Chaplain.

On motion of Mr. Hudson, the roll-call was dispensed with.

The journal of yesterday was read and approved.

Mr. Jordan, chairman of the Committee on Agriculture, made the following report:

#### Mr. President:

The Committee on Agriculture has had under consideration the following bills of the House, which I am instructed to report back with the recommendation that they do pass: A bill to provide for the teaching of the elementary principles of agriculture and civil government in the common schools.

A bill to protect fish in the streams of Bartow county.

A bill to allow the voters of the Blue Ridge district of White county to hold an election to determine whether or not fences shall be restored.

Respectfully submitted.

C. H. JORDAN, Chairman.

Mr. Golden, chairman of the Committee on Engrossing, submitted the following report:

Mr. President:

The Committee on Engrossing has examined the following bills and resolution which it finds correctly engrossed and ready for transmission to the House:

A bill to provide for the deduction on franchises due cities, etc., of all amounts paid under agreement.

A bill to authorize the issue and sale of bonds for school purposes in Pierce county.

A bill to establish a system of public schools for Pierce county.

A bill to prohibit the manufacture of distilled spirits in Hart county.

A resolution to authorize the State Bank Examiner to employ a stenographer.

Respectfully submitted.

E. H. McMichael.
W. F. Golden, Chairman.

The following message was received from his Excellency, the Governor, through his Secretary, Mr. Blackburn, to wit:

#### Mr. President:

His Excellency, the Governor, has approved and signed the following bills, to wit:

An Act to establish dispensaries for Coffee county for the sale of spirituous liquors.

An Act to provide for the collection of the revenue of the State arising under special occupation and license taxes by issuing execution therefor, and for other purposes.

The following House bills were read second time:

# By Messrs. Hardman and Shackelford-

A bill to provide for the teaching of elementary principles of agriculture and civil government in public schools.

## By Mr. Underwood-

A bill to allow the voters of Blue Ridge district to hold election to determine whether or not fences shall be restored.

# By Mr. Conner-

A bill to protect fish in the streams and other watercourses in Bartow county.

## By Mr Bush-

A bill to incorporate the town of Boykin, in Miller county.

Recommitted to Committee on Corporations.

#### By Mr. Reid—

A bill to pay off and retire bonds of this State as they mature.

Recommitted to Committee on Finance.

## By Mr. Rainey-

A bill to incorporate the Bronwood school district, in Terrell county.

Recommitted to Committee on Education.

# By Mr. Rainey-

A bill to incorporate the Parrott school district, in Terrell county.

Recommitted to Committee on Education.

# By Mr. Morris-

A bill to incorporate the Mount Zion school district.

Recommitted to Committee on Education.

## By Mr. Morris—

A bill to amend an Act to incorporate the Upshaw school district.

Recommitted to Committee on Education.

## By Mr. Rainey-

A bill to incorporate the Sasser school district, in Terrell county.

Recommitted to Committee on Education.

By Mr. Maples—

A bill to incorporate the town of Baconton, in Mitchelli county.

Recommitted to Committee on Corporations.

By Mr. Stanford—

A bill to amend section 10 of the charter of Chipley.

Recommitted to Committee on Education.

By Mr. Fields—

A bill to amend an Act concerning the election laws of the city of Cordele.

By Messrs. Steed and Hixon—

A bill to incorporate the Whitesburg school district, in the county of Carroll, and for other purposes.

Recommitted to Committee on Education.

The following House bill was tabled:

By Mr. Felder--

A bill to regulate the filing of second claims under the claim laws of this State.

At 10:45 o'clock the Senate went into executive session.

Mr. Perry, chairman of the General Judiciary Committee, made the following report:

Mr. President:

The Committee on General Judiciary has had under consideration the following bill of the Senate, which I am instructed to report back with the recommendation that it do pass:

A bill to allow defendants in actions brought by the State for recovery of certain realty to plead twenty years' possession.

Respectfully submitted.

H. H. PERRY, Chairman.

Mr. Mathews, chairman of the Committee on Railroads, submitted the following report:

Mr. President:

The Committee on Railroads has had under consideration the following Senate bill, which it instructs me to report back with the recommendation that the same do pass as amended:

A bill to allow railroads to change general direction and route for the purpose of reducing grades and curvatures.

Respectfully submitted.

H. A. Mathews, Chairman.

The following bills of the Senate were read second time:

By Mr. Taylor-

A bill to incorporate the town of Menlo, in the county of Chattooga, and for other purposes.

Recommitted to Committee on Special Judiciary

### By Mr. Mathews-

A bill to provide for the registry of transfers of bonds for title.

Recommitted to the General Judiciary Committee.

### By Mr. Lewis—

A bill to secure to the several counties of this State the public school fund to which they are now or may hereafter be entitled under the law.

Recommitted to Committee on Finance.

## By Mr. Smith-

A bill authorizing street railway companies to take up and remove any part of their tracks.

Recommitted to Committee on Railroads.

The following was read:

To the Hons. President of the Senate and Speaker of the House of the General Assembly of Georgia:

I beg to notify you that the Georgia Weekly Press Association, in convention at Cedartown July 14, 1903, adopted the resolution below by a practically unanimous vote.

W A. SHACKELFORD, Secretary Georgia Weekly Press Association.

Resolved, That this association indorse the bills now pending in the Legislature to appropriate \$50,000 toward a State exhibit at the St. Louis Exposition, and to appropriate a sum to defray expenses of obtaining copy of book

in England from which it is desired to obtain data for the Colonial History of Georgia now being prepared by Governor Candler.

W S. COLEMAN, President. W A. SHACKELFORD, Secretary.

The following joint resolution was read and agreed to:

## By Messrs. Comas and Dodd-

A resolution that a committee of three from the Senate and five from the House be appointed a committee to act with the State School Commissioner to consider present school laws.

The following bills of the Senate were read first time:

### By Mr. McMichael-

A bill to amend section 4793 of the Code of 1895 relating to the sale of lands and tenements by commissioners where same are sold under proceedings for partition.

Referred to Special Judiciary Committee.

# By Mr. McLean-

A bill to require the State Chemist to analyze any part of the human body in cases of poisoning.

Referred to Committee on Agriculture.

# By Mr. Perry-

A bill to provide for the appointment of probation officers and to define their duties, and for other purposes.

Referred to General Judiciary Committee.

### By Mr. Merritt—

A bill to provide for the care of certain convicts, and for other purposes.

Referred to Penitentiary Committee.

At the request of committees Mr. Golden was added to Committee on Finance, and Mr. Sweat to Committee on Education.

The following Senate bill was read third time and put upon its passage:

## By Mr. Hopkins-

A bill to permit and authorize defendants in actions now pending or that may hereafter be brought by the State for the recovery of certain lots to plead as defense thereto possession of said lands for twenty years, and for other purposes.

Report of committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite constitutional majority was passed.

Notice was given that a motion would be made to reconsider this bill.

Senate bill No. 125, to amend section 2171 of Vol. 2 of the Code of 1895 was read third time and recommitted to the Committee on Railroads, and was made special order after first special order on Tuesday. On motion, House resolution No. 134 was taken from the table and was tabled again.

The following House bills were read third time to be put upon their passage:

By Messrs. Mayson and Candler-

A bill to amend an Act approved December 9, 1898, incorporating the town of Edgewood, in the county of De-Kalb, by repealing section 2 of said Act and enacting in lieu thereof the following as the corporate limits, etc., of said town.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 25, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Thurman-

A bill to amend an Act in reference to the road laws of the State, and for other purposes.

Report of committee was agreed to.

Upon the passage of the bill the ayes were 23, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Blackburn-

A bill to authorize street railroad companies to engage

in the business of furnishing steam heat and power, and for other purposes.

Report of committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite constitutional majority was passed.

## By Mr. Calvin-

A bill to authorize the city council of Augusta to lay out and maintain boulevards, etc.

Report of committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 1.

The bill having received the requisite constitutional majority was passed.

The following House resolution was read third time to be put upon its passage:

# By Mr. Davis—

A resolution to appropriate \$9,360 for payment of indigent widows.

Report of committee was agreed to.

Upon the passage of the resolution the ayes and nays were ordered, and the vote was as follows:

Those voting in the affirmative were Messrs.—

Allen. Hudson, Skelton, Atkinson, Lee, Snead, Christie, Ledford, Stevens. Clark, Lewis. Sweat. Crumbley, Mathews. Symons, Dodd, McClure, Taylor, Davis, McLean, Tisinger, Duncan of 36th, McMichael, Turner, Golden. Merritt, Van Buren. Harrell, Moore, Williams, Hightower, Perry, Worsham. Hopkins, Reid,

Those not voting were Messrs.—

Clements, Jordan, Roberts, Comas, Middlebrooks, Smith,

Duncan of 10th, Park, Mr. President.

Ayes 35, nays 0.

The resolution having received the requisite constitutional majority was passed.

On motion, the Senate adjourned until Monday morning at 11 o'clock.

SENATE CHAMBER, ATLANTA, GEORGIA, Monday, July 20, 1903.

The Senate met pursuant to adjournment at 11 o'clock; was called to order by the President.

Prayer was offered by the Chaplain.

On motion, the roll-call was dispensed with.

The Journal of Friday was read and approved.

The following message was received from his Excellency, the Governor, through his Secretary, Mr. Blackburn, to wit:

#### Mr. President:

I am directed by his Excellency, the Governor, to deliver to the Senate a sealed communication, to which he respectfully invites the consideration of your honorable body in executive session.

Mr. Middlebrooks, chairman of the Committee on Corporations, submitted the following report:

#### Mr. President:

The Committee on Corporations has had under consideration the following House bills, which it instructs me to report back with the recommendation that they do pass:

A bill to incorporate the town of Armena, and for other purposes.

A bill to incorporate the town of Baconton, in Mitchell county, and for other purposes.

A bill to amend section 2 of an Act approved October 24, 1887, to amend the charter of the town of Montezuma.

A bill to incorporate the town of Barney, in Brooks county.

A bill to amend the charter of the town of Decatur, in DeKalb county, and for other purposes.

L. L. MIDDLEBROOKS, Chairman.

Mr. Davis, chairman Finance Committee, submitted following report:

Mr. President:

The Committee on Finance has had under consideration the following bill of the Senate, which it instructs me to report back with the recommendation that it do pass.

A bill to secure to the several counties of this State the public school fund to which they are now or may hereafter be entitled under the law.

WM. H. DAVIS, Chairman.

At 11:10 the Senate went into executive session.

The following resolution was read and adopted.

By Mr. Comas-

A resolution that as a mark of respect to the late Justice Lumpkin of the Supreme Court, the Senate will stand adjourned until to-morrow morning at 10 o'clock.

> Senate Chamber, Atlanta, Georgia, Tuesday, July 21, 1903.

The Senate met pursuant to adjournment at 10 o'clock; was called to order by the President.

Prayer was offered by the Chaplain.

On motion, the roll-call was dispensed with.

The Journal of vesterday was read and approved.

The following resolution was read and adopted:

By Mr. Comas—

A resolution extending the sympathy of the Senate to Senator Merritt on account of the death of his sister.

Senator Merritt was granted leave of absence on account of the death of his sister.

Mr. Ledford, chairman of the Committee on Education, submitted the following report:

Mr. President:

The Committee on Education has had under consideration the following Senate bill, which it instructs me to report back with the recommendation that the same do pass as amended:

A bill to incorporate the Kensington school district, in Walker county.

The committee has also had under consideration the following House bill, which it instructs me to report back with the recommendation that the same do pass as amended:

A bill to amend section 10 of the charter of Chipley, in Harris county, so as to allow the mayor and aldermen to levy a tax for school purposes.

Respectfully submitted.

M. L. LEDFORD, Chairman.

The following special order was taken up:

By Messrs. Steed and Hixon-

A bill to provide for the election of county school commissioners by the people.

# Mr Hopkins offered the following amendment:

Provided, That this Act shall not become operative in any county in this State until the same shall have been recommended by the grand jury of said county convening last before the expiration of the term of county commissioners then in office.

Upon this amendment the ayes and nays were ordered, and the vote was as follows:

Those voting in the affirmative were Messrs.—

Dodd, Hopkins, Roberts,
Davis, Lee, Skelton,
Duncan of 10th, Lewis, Taylor,
Golden, McClure, Worsham,

Harrell, Middlebrooks,

Those voting in the negative were Messrs.—

Allen, Jordan. Smith, Atkinson, Ledford. Snead, Clark, Stevens, Mathews, Clements. McLean, Sweat, Comas, McMichael, Symons, Crumbley. Moore, Tisinger, Duncan of 36th, Perry, Van Buren, Hudson, Reid. Williams,

Those not voting were Messrs.—

Christie, Merritt, . Turner,

Hightower, Park, Mr. President,

Ayes 14, nays 24.

The amendment was lost.

Upon the passage of the bill the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.—

Dodd, Harrell, Roberts,
Davis, Hopkins, Turner,
Duncan of 10th, Jordan, Worsham,
Golden, Middlebrooks,

Those voting in the negative were Messrs.—

Smith. Allen, Ledford, Snead, Atkinson, Lewis, Clark, Mathews, Stevens, Clements. McClure. Sweat, Comas, McLean, Symons, Crumbley, McMichael, Taylor, Duncan of 36th, Moore, Tisinger, Hudson, Perry. Van Buren, Lee. Skelton, Williams,

Those not voting were Messrs.—

Christie, Merritt, Reid,

Hightower, Park, Mr. President,

Ayes 11, nays 27

The bill not having received the requisite constitutional majority was lost.

Mr. Lee, chairman of the Penitentiary Committee, submitted the following report:

#### Mr. President:

The Penitentiary Committee has had under consideration the following Senate bill, which it instructs me to report back with the recommendation that the same do pass, as amended: A bill to provide for the care of certain convicts in this State, and for other purposes.

Respectfully submitted.

GORDON LEE, Chairman.

Mr. Mathews, chairman of the Committee on Railroads, submitted the following report:

Mr. President:

The Committee on Railroads has had under consideration the following Senate bill which it instructs me to report back with the recommendation that the same do pass as amended:

A bill to amend section 2171 of Vol. 2 of the Code of 1895 providing for the change of general direction and route of railroads, and for other purposes.

Respectfully submitted.

H. A. Mathews, Chairman.

Mr. Duncan, chairman of the Committee on Engrossing, submitted the following report:

Mr. President:

The Committee on Engrossing has examined the following bills, which it finds correctly engrossed and ready for transmission to the House.

A bill to create a new charter for the town of Nichols, and for other purposes.

A bill to authorize defendants in actions now pending or

that may hereafter be brought by the State for the recovery of certain land to plead as defense thereto possession of said land for 20 years, and for other purposes.

Respectfully submitted.

A. B. DUNCAN, Chairman.

Senator Tisinger withdrew his notice of a motion to reconsider the action of the Senate in passing the bill by Senator Hopkins, on Friday.

The following special order was also taken up.

## By Mr. Van Buren-

A bill to authorize railroad companies to change routes in their roads so as to straighten curves and reduce grades.

Report of the committee as amended was agreed to.

Upon the passage of the bill the ayes were 31, nays 0; the bill having received the requisite constitutional majority was passed as amended.

Amend by adding at the end of line 14 of sec. 1 the following: provided that in relocating or reconstructing any portion of the line of railroad for the purpose of reducing the grades and curvature, no railroad company shall have the power to leave off the line of its railroad any incorporated city or town without the consent of the authorities of said city or town, or to leave off the line of said railroad any village at which there is or shall be a station after the said station has been established, without the consent of the authorities of the county in which the same is located. Amend section 1 by adding the same words at the end of said section.

Mr. Tisinger, chairman of the Special Judiciary Committee, submitted the following report:

Mr. President:

The Special Judiciary Committee has had under consideration the following bill of the Senate, which it instructs me as chairman to report back with the recommendation that the same do pass:

By Mr. Taylor of the 42d district—

A bill to be entitled an act to incorporate the town of Menlo in the county of Chattooga, etc.

Respectfully submitted.

B. L. TISINGER, Chairman.

Mr. Duncan, 36th, chairman of the Temperance Committee, submitted the following report:

Mr. President:

The Temperance Committee has had under consideration the following House bill which it instructs me to report with the recommendation that the same do pass:

A bill to prohibit the manufacture of alcoholic or other kinds of spirituous liquors in Upson county.

Respectfully submitted.

J. T. DUNCAN, Chairman.

The following Senate bill was read second time:

By Mr. Lee-

A bill to incorporate the Kensington school district, in Walker county

By Mr. Merritt--

A bill to provide for the care of certain convicts in this State.

The following Senate bills were read third time to be put upon their passage:

By Mr. Lewis--

A bill to secure to the several counties of this State the public school fund to which they are now entitled.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 25, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Taylor--

 $\Lambda$  bill to incorporate the town of Menlo, in Chattooga county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 30, nays 0.

The bill having received the requisite constitutional majority was passed.

Senator Hightower was granted leave of absence.

The following joint resolution was read and adopted.

By Mr. Hopkins---

A resolution convening the Senate and House in joint

session on next Friday at noon to listen to an address by Hon. John Allen of Mississippi.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

Mr. President:

The House has passed by the requisite constitutional majority the following bills of the House, to wit:

A bill to amend an Act to fix the time of holding the superiors court of the Oconee circuit.

A bill to amend an Act to create the city court of Sylvania.

A bill to amend an Act to create the city court of Waycross.

A bill to amend an Act to create the city court of Moultrie.

A bill to provide for the operation of an Act to create the city court of Hamilton.

A bill to prohibit the trapping, etc., of fish in the streams of Hall county.

A bill to incorporate the Amity school district.

A bill to change the time of holding the superior court of Liberty county

A bill to incorporate the town of Beloit, in Lee county.

A bill to amend an Act to create the city court of Hamilton.

A bill to change the time of holding the superior court of Chattahoochee county

A bill to amend an Act to create a board of commissioners for Douglas county

A bill to repeal an Act to create a county court in each county of this State, so far as the same relates to the county of Bulloch.

A bill to amend an Act to repeal all laws to incorporate the town of Buford.

A resolution to appropriate the sum of \$180 pension money to Mrs. Mary E. Flynt.

A bill to incorporate the Olive Springs school district.

A bill to amend an Act to create a board of commissioners of roads and revenues for the county of Hall.

A bill to amend an Act to establish a system of public schools in the town of Wadley

A bill to amend section 982, Vol. 1 of the Code of 1895 so as to make the town of Lavonia a State depository

A bill to provide for the election of the judge and solicitor of the city court of LaGrange by the people.

A bill to incorporate the town of Spread.

The House has also passed by the requisite constitutional majority the following bills of the Scuate, to wit:

A bill to amend an Act to create the city court of Bain-bridge.

A bill to authorize the Marietta Sewerage Company to occupy the streets of Marietta.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

Mr. President:

The House has passed by the requisite constitutional majority the following bills of the House, to wit:

By Messrs. Miller and Deal of Bulloch.

To provide for the establishment of a dispensary in the city of Statesboro.

By Messrs. Deal and Miller.

To create the city court of Statesboro.

The following House bills were read first time.

By Mr. Whitley-

A bill to amend the Act creating a board of county commissioners for Douglas county.

Referred to Special Judiciary Committee.

By Mr Stanford-

A bill to provide for the operation of an Act establishing the city court of Hamilton.

Referred to Special Judiciary Committee.

By Mr. Newton-

A bill to amend the Act establishing the city court of Moultrie.

Referred to Special Judiciary Committee.

By Mr. Spense-

A bill to amend the Act creating the city court of Waycross.

Referred to Special Judiciary Committee.

By Mr. Phillips--

A bill to establish a system of public schools in the town of Wadley.

Re-erred to the Educational Committee.

By Mr. Griffin--

A bill to amend the Act fixing the time for holding the superior court of Oconee county.

Referred to Special Judiciary Committee.

By Mr. Fussell—

A bill to change the time of holding the superior court in Chattahoochee county.

Referred to Special Judiciary Committee.

By Mr. Overstreet-

A bill to amend the Act establishing the city court of Sylvania in Screven county

Referred to Special Judiciary Committee.

By Mr. McBride-

A bill to incorporate the town of Beloit in Lee county

Referred to Corporation Committee.

By Mr. Pate-

A bill to amend the Acts incorporating the town of Buford in Gwinnett county.

Referred to Corporation Committee.

By Mr. Stanford-

A bill to amend the Act establishing the city court in Hamilton.

Referred to Special Judiciary Committee.

By Mr. Morris--

A bill to incorporate Olive Springs school district, in Cobb county

Referred to Education Committee.

By Mr. Dozier—

A bill to provide for election of judge and solicitor of the city court of LaGrange by the people.

Referred to Special Judiciary Committee.

By Mr. Thompson--

A bill to prohibit the trapping, gigging and hooking of fish in the streams of Hall county

Referred to General Judiciary Committee.

### By Mr. Boykin-

A bill to incorporate the Amity school district in Lincoln county

Referred to Education Committee.

## By Mr. Phillips--

A bill to incorporate the town of Spread in Jefferson county.

Referred to Corporation Committee.

### By Mr. Deal--

A bill to repeal an Act creating the county court of Bulloch county.

Referred to Special Judiciary Committee.

## By Mr. Thompson--

A bill to amend the Act creating the board of county commissioners in Hall county

Referred to Special Judiciary Committee.

# By Mr. Hendry--

A bill to charge the time of holding the superior court of Liberty county.

Referred to Special Judiciary Committee.

## By Mr. Burton-

A bill to amend section 982 of the Code so as to add Lavonia to the list of State depositories.

Referred to Banks Committee.

## By Mr. Beauchamp--

A resolution to appropriate the sum of \$180 pension money to Mrs. Mary E. Flint.

Referred to Finance Committee.

The following Senate bills were read first time.

### By Mr. Comas—

A bill to insure efficiency of county school commissioners of this State.

Reterred to Education Committee.

### By Mr Comas--

A bill to amend section 982 of the Code by adding the town of Jesup to the list of State depositories.

Referred to Banks Committee.

## By Mr. Hopkins-

A bill to prohibit the hunting with dogs or guns or fishing on the private lands in Thomas county without written consent of the owner.

Referred to Agricultural Committee.

The following House bills were read second time:

# By Messrs. Mayson and Candler-

A bill to amend the charter of the town of Decatur, in DeKalb county

By Mr. McBride—

A bill to incorporate the town of Armenia in Lee county.

By Mr. Gaulden—

A bill to incorporate the town of Barney, in Brooks county

By Mr. Hayes-

A bill to amend section 2 of an Act to amend the charter of the town of Montezuma in Macon county.

The following House bill was taken up to be read third time:

By Messrs. Hardman and Shackelford-

A bill to provide for the teaching of the elementary principles of agriculture and civil government in the public schools.

Mr. Perry moved that the bill be tabled and no quorum voted. Then the President ordered that the ayes and nays be called, and the vote was as follows:

Those voting in the affirmative were Messrs.—

Allen, Ledford, Perry, Comas, Lewis, Reid, Crumbley, Mathews, Roberts, Dodd, McClure, Skelton, Davis, McLean, Snead, Golden, McMichael, Stevens, Harrell, Middlebrooks, Sweat, Jordan, Moore. Symons, Lee.

Those voting in the negative were Messrs.—

Hudson, Tisinger, Van Buren,

Worsham,

Those not voting were Messrs.—

Atkinson, Duncan of 36th, Smith,
Christie, Hightower, Taylor,
Clark, Hopkins, Turner,
Clements, Merritt, Williams,
Duncan of 10th, Park, Mr. President.

Ayes 25, nays 4.

The bill was tabled.

Leave of absence was granted to the committee to visit the School for the Blind for to-morrow

The following House resolution was taken from the table to be put upon its passage:

By Mr. Hall—

A resolution to require the Joint Committee on Finance to investigate the offices of Secretary of State, State School Commissioner, Commissioner of Agriculture and Pension Commissioner, in addition to other duties.

Mr. Mathews offered a substitute, and on the adoption of the substitute the ayes and nays were ordered, and the vote was as follows:

Those voting in the affirmative were Messrs.—

Clark, Clements, Crumbley, Dodd, Duncan of 10th,

Harrell.

Lee, Mathews, McLean,

Taylor,

Van Buren,

Snead, Reid, Roberts, Stevens, Skelton,

Symons,

Those voting in the negative were Messrs.—

Comas, Lewis. Perry, Davis, McClure, Smith, McMichael, Sweat, Duncan of 36th, Golden. Middlebrooks. Williams, Jordan, Moore, Worsham,

Ledford,

Those not voting were Messrs.—

Allen, Hopkins, Tisinger, Hudson, Atkinson, Turner,

Merritt, Mr. President, Christie,

Hightower, Park,

Ayes 17, nays 16.

The substitute was adopted.

On the passage of the resolution by substitute the ayesand nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.—

Clark, Hudson, Roberts. Clements, Jordan, Smith, Crumbley, Lee, Snead, Dodd. Mathews, Stevens, Davis, McLean, Sweat, Duncan of 10th, McMichael, Symons, Duncan of 36th, Moore, Van Buren, Golden, Williams, Perry, Harrell, Reid, Worsham,

Those voting in the negative were Messrs.—

Allen, Comas, Ledford, Lewis, McClure, Middlebrooks,

Skelton,

Those not voting were Messrs.—

Atkinson, Christie, Hightower, Hopkins, Merritt, Park, Taylor, Tisinger, Turner,

Mr. President,

Ayes 28, nays 7

The resolution was passed by substitute.

The following Senate bills were read first time:

# By Mr. Lee—

A bill to establish a new charter for the town of La-Fayette.

Referred to Corporation Committee.

## By Mr. Perry—

A bill to provide a new charter for Flowery Branch.

Referred to Special Judiciary Committee.

The following Senate bill was read second time:

# By Mr. Howell-

A bill to amend the charter of the city of Atlanta.

The following House bills and resolutions were read third time to be put upon their passage:

By Messrs. Davis and Howell—

A resolution to appropriate money to meet the deficiency in the insurance fund.

Report of the Committee was agreed t.

This being an appropriation the ayes and pays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.—

McClure, Comas, Snead, Crumbley, McLean, Sievens. Dodd, Middlebrooks, Sweat, Davis, Moore, Symons, Duncan of 36th, Perry, Taylor, Golden, Reid, Tisinger, Harrell, Roberts, Van Buren, Hudson, Skelton, Williams, Ledford, Smith, Worsham,

Lewis,

Those not voting were Messrs.—

Allen, Hightower, McMichael, Atkinson, Hopkins, Merritt, Jordan, Christie, Park, Clark, Lee, Turner, Mr. President. Clements. Mathews,

Duncan of 10th,

Aves 28, nays 0.

The resolution having received the requisite constitutional majority was passed.

By Mr. Mann—

A bill to amend the charter of Lyons.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite constitutional majority was passed.

The following Senate bill was read first time:

By Mr. McMichael—

A bill to amend section 2780 of the Code.

Referred to Special Judiciary Committee.

At 12:30 o'clock the Senate went into executive session.

On motion, the Senate adjourned until to-morrow morning at 10 o'clock.

SENATE CHAMBER, ATLANTA, GEORGIA, Wednesday, July 22, 1903.

The Senate met pursuant to adjournment at 10 o'clock; was called to order by the President.

Prayer was offered by the Chaplain.

On motion, the roll-call was dispensed with.

The journal of yesterday was read and approved.

Mr Symons, Chairman of the Enrollment Committee, submitted the following report:

Mr. President:

The Committee on Enrollment have examined and found properly enrolled and ready for the signatures of the officers of the House and Senate the following Acts, to wit:

An Act to authorize the Marietta Sewerage Company to occupy the streets of the city of Marietta.

Also, an Act to provide for the election of the judge and solicitor of the city court of Bainbridge by the qualified voters.

Respectfully submitted.

W F Symons, Chairman.

Mr. Tisinger, chairman of the Special Judiciary Committee, submitted the following report:

### Mr. President:

The Special Judiciary Committee has had under consideration the following bills of the House, which I am instructed to report back with the recommendation that they do pass:

A bill to amend the Act establishing the city court in Hamilton approved December 8, 1902.

A bill providing for the operation of an Act establishing the city court in Hamilton.

A bill to change the time of holding the superior court in Chattahoochee county.

A bill to amend the Act establishing the city court of Sylvania.

A bill to change the time of holding the superior court in Liberty county.

A bill to amend the Act creating a board of county commissioners for the county of Douglas.

A bill to amend the Act creating the city court of Way-cross.

A bill to amend the Act fixing the time for holding the superior courts of the Oconee circuit.

A bill amending the Act establishing the city court of Moultrie, in Colquitt county.

A bill to amend the Act creating a board of commissioners of roads and revenues in Hall county.

A bill to repeal an Act to create a county court in each county in the State, except certain counties therein named, approved January 29, 1872, in so far as the same applies to the county of Bulloch.

A bill to provide for the election of the judge and solicitor of the city court of LaGrange by the people.

Respectfully submitted.

B. L. TISINGER, Chairman.

The following Senate bills were read third time to be put upon their passage:

By Mr. Lee—

A bill to incorporate the Kensington school district, in Walker county

Report of the committee was agreed to as amended.

Upon the passage of the bill the ayes were 23, nays 0.

The bill having received the requisite constitutional majority was passed as amended.

The amendments are as follows:

Amend section 4 by striking out all of the same after the enacting clause and insert in lieu thereof the following: That the board of trustees as named in section 3 shall serve as such trustees until the first day of September, 1907, and until their successors are elected and installed. case there should occur a casual vacancy occasioned by the death of a member or other cause before the first election herein provided for, said vacancy shall be filled by an appointment made by a majority of the remaining members of the board; said new member to serve out the unexpired term of the member whose place he has been elected to The first election of members of the board shall be held on the first Saturday in August, 1907, and quadrennially thereafter, at which election all citizens residing in said district qualified to vote for members of the General Assembly shall be qualified to vote at said election. citizens of said district shall be elected, who shall hold their office as trustees for a term of four years, beginning on the first day of September, 1907, and the board so elected shall hold office for four years, and until their successors are elected and qualified; subsequent elections to be held on the first Saturday of August each fourth year from date of the first election.

The following House bills were read first time:

### By Messrs. Miller and Deal-

A bill to provide for the establishment of a dispensary in Statesboro.

Referred to Temperance Committee.

### By Messrs. Deal and Miller—

A bill to create the city court of Statesboro.

Referred to Special Judiciary Committee.

The following House bills were read second time:

## By Mr. Whitley-

A bill to amend the Act creating the board of county commissioners of Douglas county.

## By Mr. Overstreet—

A bill to amend the Act establishing the city court of Sylvania.

## By Mr. Spence—

A bill to amend the Act creating the city court of Way-cross.

# By Mr. Griffin-

A bill to amend the Act fixing the time for holding the superior courts of Oconee circuit.

## By Mr. Deal-

A bill to repeal the Act creating the county court of Bulloch county.

## By Mr. Newton-

A bill to amend the Act establishing the city court of Moultrie.

## By Mr. Thompson—

A bill to amend the Act creating the board of county commissioners of Hall county

## By Mr. Stanford-

A bill to amend the Act establishing the city court of Hamilton.

### By Mr. Fussell-

A bill to change the time for holding the superior court of Chattahoochee county.

# / By Mr. Hendry—

A bill to change the time for holding the superior court in Liberty county.

## By Mr. Stanford—

A bill to provide for the operation of an Act establishing the city court of Hamilton.

## By Mr. Dozier-

A bill to provide for the election of judge and solicitor of the city court of LaGrange by the people.

By unanimous consent House bills Nos. 420 and 533 were recommitted.

By unanimous consent the Finance Committee was requested to return House resolution No. 109 to the Senate and said resolution be recommitted to the Pension Committee.

Mr. Davis, vice-chairman of the General Judiciary Committee, made the following report:

Mr. President:

The General Judiciary Committee has had under consideration the following bill of the Senate, which I am instructed to report back with the recommendation that it do pass as amended:

A bill to provide that all property which is without a lawful owner shall belong to the State, and to provide the method of escheating the same, etc.

Also, that the following bill of the Senate do not pass:

A bill to provide how marriage license shall be issued.

The committee also recommends that the author of Senate bill No. 92 be allowed to withdraw same.

Respectfully submitted.

WM. H. DAVIS, Vice-Chairman.

The following House bills were read third time to be put upon their passage:

By Mr. Fields-

A bill to amend the Act concerning the election laws of the city of Cordele.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 23, nays 0.

The bill having received the requisite constitutional majority was passed.

## By Mr. Womble-

A bill to prohibit the manufacture of alcoholic spirits in Upson county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 24, nays 0.

The bill having received the requisite constitutional majority was passed.

#### By Mr. Stanford—

A bill to amend section 10 of the charter of Chipley.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 25, nays 0.

The bill having received the requisite constitutional majority was passed as amended, and the amendments are as follows:

By striking out all of section 11 of the bill after the word "that" in the second line and substituting "all laws and parts of laws in conflict with this Act be, and the same are, hereby repealed."

## By Messrs. Mayson and Candler—

A bill to amend the charter of the town of Decatur so as to authorize the mayor and council to pave sidewalks.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 24, nays 0.

The bill having received the requisite constitutional majority was passed.

#### By Mr. Cann-

A bill to amend section 3 of an Act providing compensation for the deputy jailer of Chatham county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 24, nays 0.

The bill having received the requisite constitutional majority was passed.

#### By Mr. McBride-

A bill to incorporate the town of Armenia, in Lee county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 23, nays 0.

The bill having received the requisite constitutional majority was passed.

# By Messrs. Morris and McLain—

A bill to authorize the town of Roswell to issue bonds.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 25, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Mitchell, Rountree and Singletary—

A bill to amend the charter of the town of Metcalf, in Thomas county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 23, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Mayson and Candler-

A bill to amend the charter of the town of Decatur so as to authorize the mayor and council to issue bonds.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 25, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Maples-

A bill to incorporate the town of Baconton, in Mitchell county

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 26, nays 0.

By Mr. Overstreet—

A bill to repeal an Act establishing a system of public schools for Sylvania.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 25, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Bell-

A bill to incorporate the town of Nunez, in Emanuel county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 25, nays 0.

The bill having received the requisite constitutional maority was passed.

By Mr. Mitchell-

A bill to amend the charter of the town of Cairo.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 25, nays 0.

By Messrs. Mayson and Candler--

A bill to amend the charter of the town of Decatur, in DeKalb county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 24, nays 0.

The bill having received the requisite constitutional majority was passed.

## By Mr. Rankin-

A bill to incorporate the town of Plainville, in Gordon county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 23, nays 0.

The bill having received the requisite constitutional majority was passed.

#### By Mr. Brock--

A bill to repeal an Act creating the board of county commissioners for Dade county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 24, nays 0.

By Mr. Mills--

A bill to amend the charter of Ball Ground, in Cherokee county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 24, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Stanford—

A bill to amend the charter of the town of Hamilton.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 25, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Flynt—

A bill to amend the charter of the city of Griffin.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 26, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Booth and Lawrence-

A bill to repeal an Act creating the board of commissioners of roads and revenues of Walton county

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 25, nays 0.

The bill having received the requisite constitutional majority was passed as amended, by striking out in section 1, lines 4 and 5, these words that occur after the word "the" in line 4, "passage of this Act," and inserting "the first day of January, 1904."

#### By Mr. Grice-

A bill to amend the Act creating the board of county commissioners of Pulaski county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 26, nays 0.

The bill having received the requisite constitutional majority was passed.

#### By Mr. Grice—

A bill to amend the charter of the city of Hawkinsville.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 26, nays 0.

The bill having received the requisite constitutional majority was passed.

#### By Mr. Stovall---

A bill to grant unto the mayor and aldermen of Savannah certain land to erect public buildings.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 26, nays 0.

The bill having received the requisite constitutional majority was passed.

#### By Mr. Hayes-

A bill to amend section 2 of an Act amending the charter of Montezuma.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 25, nays 0.

The bill having received the requisite constitutional majority was passed.

#### By Mr. Conner-

A bill to protect the fish in the streams of Bartow county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 28, nays 0.

The bill having received the requisite constitutional majority was passed.

#### By Mr. Kendrick--

A bill to amend the Act incorporating the town of Sharon, in Taliaferro county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 23, nays 0.

By Mr. Gaulden-

A bill to incorporate the town of Barney, in Brooks county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 25, nays0.

The bill having received the requisite constitutional majority was passed.

By Mr. Rainey--

A bill to amend the charter of the town of Parrott.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 26, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Gaulden-

A bill to amend the charter of the town of Morven.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 24, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Davison-

A bill to amend the charter of the city of Greensboro, in Greene county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 25, nays 0.

The bill having received the requisite constitutional majority was passed.

#### By Mr. Underwood-

A bill to allow the voters of Blue Ridge district to hold an election to determine whether or not sences shall be restored or not.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite constitutional majority was passed.

The following Senate bills were read second time:

#### By Mr. Smith-

A bill to provide that all property without a lawful owner shall belong to the State.

# By Mr. Comas-

A bill to amend section 982 of the Code by adding Jesup to the list of State depositories.

This bill was recommitted to Committee on Banks.

#### By Mr. Comas-

A bill to insure the efficiency of county school commissioners.

This bill was recommitted to Committee on Education.

The following Senate resolution was read first time

By Mr. Williams (by request)—

A resolution for the relief of J. K. McAfee, J. R. Grice and W H. Raley, sureties on the bond of Charles Harris.

Referred to General Judiciary Committee.

Leave of absence was granted Senator Christie indefinitely.

On motion, the Senate adjourned until to-morrow morning at 10 o'clock.

# SENATE CHAMBER, ATLANTA, GEORGIA, Thursday, July 23, 1903.

The Senate met pursuant to adjournment at 10 o'clock; was called to order by the President.

Prayer was offered by the Chaplain.

Upon the call of the roll the following members answered to their name:

Allen,	Golden,	Mathews,
Atkinson,	Harrell,	McClure,
Clark,	Hightower,	McLean,
Clements,	Hopkins,	McMichael,
Comas,	Hudson,	Merritt,
Dodd,	Jordan,	Middlebrooks,
Davis,	Lee.	Moore,
Duncan of 10th,	Ledford,	Park,
Duncan of 36th,	Lewis,	Perry,

Reid,	Stevens,	Turner,
Roberts,	Sweat,	Van Buren,
Skelton,	Symons,	Williams,
Smith,	Taylor,	Worsham,
Snead,	Tisinger,	Mr. President.

Those absent were Messrs.—

Christie.

Crumbley,

The journal of yesterday was read and approved.

#### Mr. President:

The undersigned committee, appointed to prepare a memorial of our late associate, the Honorable G. S. Roundtree, of 16th district, beg leave to submit the subjoined preamble and resolutions, and to ask the adoption of the same.

H. A. MATHEWS, 23rd District, R. J. WILLIAMS, 16th District,

J G. MOORE, 1st District,

Committee.

Since the first session of the General Assembly, Honorable G. S. Roundtree, Senator from the 16th district, departed this lite.

He was a good man and true, in all the relations of life. His private character was without reproach. His public services to his county and his State were long-continued, faithful and most valuable.

He was born in Emanuel county July 19th, 1831, and died in the county of his birth in March of the present year. During the seventy-three years of his active and useful life, he exercised his abilities not only in the wise conduct of his own affairs, but, with a broad public spirit he contributed to help in the direction of the affairs of his community and his State, with an eye single to the public weal.

In 1852 he became a member of the superior court of his county, and held this important post for twelve years, so discharging its duties as to win the commendation and thanks of his fellow citizens.

For fifteen years he was chairman of the Executive Committee of the Democratic party of his county. For a number of years he was chairman of the Board of County Commissioners of Emanuel county.

In 1884 he was elected State Senator and honorably represented the sixteenth district in the Georgia Senate.

In 1902 he was again honored by his people by an election to the Senate, and upon the organization of this body he took his seat amongst us.

He was stricken with the fatal disease that terminated his life, while serving here during the last session of the Legislature.

This brief epitome of his life serves to disclose that a most valuable life has been lost to the State in the death of our late associate. Be it therefore,

Resolved by the Senate of Georgia. 1. That in the death of Honorable G. S. Roundtree the State of Georgia has suffered a loss of one of its most intelligent, upright and useful citizens, and the Senate has been deprived of the help of one of its ablest and most experienced members.

- 2. That the Senate extends to the county of his birth and life-long residence, and to the district he so faithfully served in this body, its profoundest sympathy and condolence, at this the peculiar loss to the county and district.
- 3. That these resolutions be spread upon the journal of the Senate, and an engrossed copy furnished to the family of the deceased.

The resolutions were unanimously adopted.

The following message was received from the House through Mr. Boiseuillet, the Clerk thereof:

#### Mr. President:

The House has concurred in Senate resolution No. 50, which is a resolution providing for a joint session on July 24th, 1903, to hear the address of Hon. Jno. M. Allen, on the Louisiana Purchase Exposition.

Mr. Duncan, chairman of the Committee on Pensions, submitted the following report.

#### Mr. President:

The Committee on Pensions have had under consideration resolution 109 to appropriate the sum of \$180.00 pension money to Mrs Mary E. Flint, which they instruct me to report back with recommendation that the same do pass:

Respectfully submitted.

T. G. HUDSON, Chairman.

Mr. Duncan, chairman of the Committee on Engrossing, submitted the following report:

#### Mr. President:

The Committee on Engrossing has examined the following bills, which it finds correctly engrossed and ready for transmission to the House:

A bill to amend section 2171 of Vol. 2 of the Code providing for the change of general direction and route of railroads.

A bill to incorporate the Kensington school district, in Walker county

A bill to secure to the several counties of this State the public school fund to which they are entitled.

A bill to incorporate the town of Menlo, in Chattooga county

Respectfully submitted.

A. B. Duncan, 10th District, Chairman.

Mr Middlebrooks, chairman of the Committee on Corporations, submitted the following report:

Mr. President:

The Committee on Corporations has had under consideration the following House bills, which it instructs me to report back with the recommendation that they do pass:

A bill amending the charter of Buford, and establishing a new charter for same

A bill to incorporate the town of Boykin, in Miller county

A bill to incorporate the town of Beloit, in Lee county

Respectfully submitted.

L. L. Middlebrooks, Chairman.

Mr. Middlebrooks, chairman of the Committee on Corporations, submitted the following report:

Mr. President:

The Committee on Corporations has had under consideration the following House bill, which it instructs me to

report back with the recommendation that it be recommitted to the Committee on Education.

A bill to incorporate the Elizabeth school district, in Cobb county

Respectfully submitted.

L. L. MIDDLEBROOKS, Chairman.

Mr. Jordan, chairman of the Committee on Agriculture, submitted the following report:

#### Mr. President:

The Committee on Agriculture has had under consideration the following Senate bill, which I am instructed to report back with the recommendation that it do pass:

A bill to prohibit hunting in Thomas county without the written consent of landowner.

The committee has also had under consideration the following bill, which it instructs me to report back with the recommendation that the same do pass by substitute:

A bill to provide for the registration, sale, inspection and analysis of commercial fertilizer materials in bulk.

Respectfully submitted.

C. H. JORDAN, Chairman.

Mr. Davis, vice-chairman of the General Judiciary Committee, made the following report:

#### Mr. President:

The General Judiciary Committee has had under consid-

eration the following bills of the House, which I am instructed to report back with the recommendation that they do pass:

A bill to provide for the election of railroad commissioners of this State by the election of the whole State.

A bill to provide for the situs of debts due to nonresidents for purposes of attachment, and for other purposes.

A bill to amend section 151 of Vol. 3 of the Code of 1895 in regard to robbery.

Also, that the following bill of the Senate do pass as amended:

A bill to provide for the registry of transfers of bonds for title, etc.

Respectfully submitted.

WM. H. DAVIS, Vice-Chairman.

Senate bill No. 75 was made special order for next Tuesday immediately after the reading of the journal.

House bill No. 533 was recommitted to the Committee on Education.

The following House bills were read second time:

By Mr. Pate-

A bill to amend the charter of the town of Buford.

By Mr. McBride-

A bill to incorporate the town of Beloit, in Lee county.

#### By Mr. Slaton—

A bill providing for the situs of debts due to non-residents.

#### By Mr. Rankin-

A bill to provide for the election of the railroad commission by the people.

This bill was made special order for next Wednesday, immediately after reading the journal.

#### By Mr. Underwood—

A bill to amend section 151 of the Code relative to robbery.

#### By Mr. Beauchamp-

A resolution to appropriate \$180 pension money to Mrs. Mary E. Flint.

House bill No. 27 was made special order to follow the special order on next Tuesday.

Mr. Comas, chairman of the committee on Banks, made the following report:

#### Mr. President:

The Committee on Banks has had under consideration the following Senate bill which it instructs me to report back with the recommendation that it do pass:

A bill to amend section 982 of Vol. 1 of the Code of 1895.

Also, that the following bill of the House do pass:

A bill to amend section 982 of Vol. 1 of the Code of 1895 so as to make the town of Lavonia a State depository.

Respectfully submitted.

P H. Comas, Vice-Chairman.

The following message was received from his Excellency, the Governor, through his Secretary, Mr. Blackburn, to wit:

#### Mr. President:

I am directed by his Excellency, the Governor, to deliver to the Senate a communication in writing.

Mr. Symons, chairman of the Committee on Enrollment, submitted the following report:

#### Mr. President:

The Committee on Enrollment report as duly enrolled, signed by the President of the Senate and Speaker of the House and delivered to the Governor the following Acts, to wit:

An Act to authorize the Marietta Sewerage Company tooccupy the streets of the city of Marietta.

An Act to provide for the election of the judge and solicitor of the city court of Bainbridge by the qualified voters of Decatur county.

Respectfully submitted.

W. F. Symons, Chairman.

The following Senate bills were read second time:

## By Mr. Hopkins-

A bill to prohibit the hunting with dogs or fishing on the lands of Thomas county without written consent of the owner.

The following House bills were read third time to be put upon their passage:

#### By Mr. Stanford--

A bill to amend the Act establishing the city court of Hamilton.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 25, nays 0.

The bill having received the requisite constitutional majority was passed.

#### By Mr. Dozier-

A bill to provide for the election of judge and solicitor of the city court of LaGrange by the people.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 26, nays 0.

The bill having received the requisite constitutional majority was passed.

#### By Mr. Fussell-

A bill to change the time for holding the superior court of Chattahoochee county.

Report of the committee was agreed to.

Upon the passage of the bill the aves were 25, nays 0.

The bill having received the requisite constitutional majority was passed.

#### By Mr. Stanford-

A bill to provide for the operation of an Act establishing the city court of Hamilton.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 23, nays 0.

The bill having received the requisite constitutional majority was passed.

## By Mr. Griffin-

A bill to amend the Act fixing the time for holding the superior courts of the Oconee circuit.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 24, nays 0.

The bill having received the requisite constitutional majority was passed.

#### By Mr. Hendry—

A bill to change the time of holding the superior court of Liberty county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 25, nays 0.

The bill having received the requisite constitutional majority was passed.

#### By Mr. Overstreet—

A bill to amend the Act establishing the city court of Sylvania.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite constitutional majority was passed.

# By Mr. Spence—

A bill to amend the Act creating the city court of Way-cross.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 26, nays 0.

The kill having received the requisite constitutional majority was passed.

## By Mr. Deal—

A bill to repeal an Act creating the county court of Bullock county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 25, nays 0.

The bill having received the requisite constitutional majority was passed.

#### By Mr. Thompson-

A bill to amend the Act creating the board of roads and revenues for Hall county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 23, nays 0.

The bill having received the requisite constitutional majority was passed.

## By Mr. Newton-

A bill to amend the Act establishing the city court of Moultrie, in Colquitt county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 25, nays 0.

The bill having received the requisite constitutional majority was passed.

# By Mr. Whitley—

A bill to amend an Act creating a board of county commissioners of Douglas county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The following Senate bills were read third time to be put upon their passage:

#### By Mr. Jordan-

A bill to provide for the registration and sale of fertilizers in bulk in this State.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 31, nays 0.

The bill having received the requisite constitutional majority was passed by substitute.

#### By Mr. Comas—

A bill to amend section 982 of the Code by adding the town of Jesup to the list of State depositories.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 36, nays 0.

The bill having received the requisite constitutional majority was passed.

# By Mr. Merritt-

A bill to provide for the care of certain convicts in this State.

Report of the committee was agreed to.

Upon the passage of the bill the aves were 32, nays 0

By striking the words "whether in the hands of a lessee or otherwise," in lines 4 and 5 of section 1.

By Mr. Smith—

A bill to provide that all property without a lawful owner shall belong to the State.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 31, nays 0.

The bill having received the requisite constitutional majority was passed as amended:

Amend section 5 by inserting in line 2 between the words "and" and "defined" the words "be made party defendant"; also amend section 5 by adding after the words or set up their claim by appropriate pleading to said property or any interest therein; also amend section 5 by adding after the word "exist," in the 5th line the words "or when no person can come into existence who would have a beneficial interest in the property by virtue of the provisions of an express trust"; also amend section 5 by striking out of line 11 the words "parties defendant" and insert "parties to said proceedings other than the suit." Amend section 7 by adding at the end thereof the words "in case any of the parties to the proceeding should litigate with the State as to the ownership of the property and should be cast in the suit, then the court shall assess the costs of the suit against said parties ratably according to the interest claimed by said parties on the property, which is the subject-matter of the proceedings." Amend section 5 by adding after the word "Act," in line 9, the following: "Unless said possession shall have been open, notorious, adverse and on the name and right of the party in possession for the length of time provided in the prescription and limitation laws of this State."

By Mr. Mathews-

A bill to provide for the registration of transfers of bonds for title.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 31, nays 1.

The bill having received the requisite constitutional majority was passed as amended:

By striking all the words beginning with the word "obtain," in the 10th line, and ending with the word "title," in the 15th line, and inserting "without actual notice of the transfer acquired by contract on interest in or lien upon the land from the person transferring the bond." Amend section 2 by striking out all the words beginning with the word "holders," in the 5th line, and ending with the word "law," in the eighth line, and inserting in lieu thereof the words "persons who may by contract with the person making the transfer or by legal proceedings against him obtain any interest in or lien upon the land included in said bond." Amend section 2 by changing the word "subsequent," in the 8th line, to "subsequently." Amend section 3 by inserting in line 11 between the words "transfer" and "as" the words "when recorded." Amend by striking section 4 and inserting the repealing clause.

STATE OF GEORGIA, EXECUTIVE DEPARTMENT, Atlanta, July 23, 1903.

To the Members of the General Assembly:

The Georgia Bar Association, at its annual session in 1902, adopted a resolution appointing a committee of five from that body to investigate the Torrens System, and

similar systems, for the registration of land titles, and to report the result of their work to the next meeting of the In pursuance of that resolution a committee association. was appointed and at the last session, held in July, 1903, the committee reported their findings and recommendations to the Bar Association. After a consideration of this report the Georgia Bar Association adopted a resolution appointing a committee to appear before me and submit the matter of their report, together with such other matters as they might see proper, and to urge upon me the sending of a special message to the General Assembly of Georgia, asking the General Assembly to appoint a special commission to consist of such number as they might see fit, including some members of the Bar Association, charged with the duty of inquiring into the Torrens System of registration of land titles, and to report whether such a system is advisable for Georgia, and whether it is practicable.

In view of the fact that the suggestions just made emanate from the Georgia Bar Association, an association composed of many of the most learned and patriotic citizens of Georgia, and since the matter suggested deals with securing perfect titles to the lands and homes of the people of the State, I conceive it my duty to call your attention to the report of the committee herewith submitted, and to recommend that you act in accordance with the suggestions therein made.

The importance of this matter is emphasized by the fact that a number of the States of the Union have already adopted the Torrens System and many others have the matter under serious advisement either in the shape of proposed legislative enactment or before committees charged with the duty of investigating and reporting thereon.

J. M. TERRELL, Governor.

JULY 17, 1903.

To His Excellency, Governor Jos. M. Terrell:

DEAR SIR:—At the meeting of the Georgia Bar Association held in 1902, a resolution was adopted appointing a committee of five from that body to investigate the Torrens System, and similar systems, for the registration of land titles, and to report the result of their work to the next meeting of the association.

In conformity with this resolution a committee was appointed, and at the meeting of the Georgia Bar Association, just finished this month, the report of this committee was presented.

Upon consideration of this report the Georgia Bar Association adopted a resolution appointing the undersigned a committee to appear before your Excellency and submit the matter of this report, together with such other matters as they might see fit, and urge upon your Excellency the sending of a special message to the General Assembly of Georgia, now in session, asking that body to appoint a special commission to consist of such number as your Excellency might suggest, including some members of the Bar Association, who should be authorized to inquire into the Torrens System of registration of land titles and to report to that body whether such a system is advisable for Georgia, and whether it is practicable.

Looking to this end, we take the liberty of submitting for your consideration the report referred to, together with other publications, including extracts from the inaugural address of Governor William E. Russell, of Massachusetts, upon this subject, the statutes of Massachusetts adopting such report, and also some extracts from the reports of the registrar of Cook county, Illinois.

Your Excellency will observe that the Torrens System now obtains in five States in the Union, to wit: Illinois,

Massachusetts, California, Minnesota and Oregon. It also obtains in Great Britain and the greater portions of Canada and the other British possessions of North America and in South Australia.

The system is now being considered in twenty-seven other States of the Union, and in nearly every one where it is being considered the Governor has either called the attention of the Legislature to this matter and requested the appointment of a commission, or the appointment of a commission has been urged by the Bar Association of the various States, and the Legislatures in the various States have adopted such suggestions, so that your Excellency will observe that the matter is now regarded throughout the Union as one of great importance and is receiving the careful attention of the people.

The main benefits to be derived from the adoption of this system are as follows:

First. The title is registered instead of the evidence of title. This title is registered after it has been examined and passed upon by a court of competent jurisdiction under a regular system of pleadings and practice conformable to that which obtains in each particular jurisdiction. In all the acts which have been submitted and which have been discussed, ample provision is made for notice to all persons who may have any interest in the land, including minors and others not sui juris, and also for notice to non-residents who may be interested. In this way the court is enabled to obtain jurisdiction and render a judgment which will be binding against the world.

It has been observed that in a vast number of registrations which have been made, very little loss has occurred to people who have not been notified, and this loss is provided for by the creation of an indemnity fund. In Massachusetts, where six hundred and sixty-two registrations have been made there has not yet been any recourse to the

indemnity fund, and in Queensland, in Australia, where the system has been in operation for more than thirty-eight years, there has been only one loss out of a registration of over a million and a quarter of titles.

The important benefits accruing out of the adoption of such a system will be:

First. The saving of expense for the registration of titles, as only one registration will be required, and the subsequent transfers for that registration would not exceed for each transfer \$2.00.

Second. In the generality of cases the transfer, including the examination of title, after the initial registration could be completed within an hour.

Third. The title is rested or quieted at every transfer. Fourth. There is not any chain of deeds to be examined.

Fifth. The records are shorter.

Sixth. This safe, short and inexpensive method of transfer increases the value of land and makes it a quick asset.

The principles of the Torrens System are in brief:

- 1. A public examination of title by a court of competent jurisdiction, with notice to all persons concerned.
- 2. A registration of the title founded upon such examination.
  - 3. The issuance of a certificate of title.
- 4. The re-registration of the title upon every subsequent transfer.
- 5. Notice on the certificate of any matter affecting a registered title, claims not registered having no validity

Without quoting at length from Governor Russell's address, to which we have referred, we submit the same to you and ask your careful consideration of it, as his statement sets forth in a very clear and compendious manner the reasons why such a system should be adopted.

We, therefore, invite your Excellency's consideration of these matters, and respectfully ask that you may see fit to call the attention of the General Assembly to this matter at as early a date as may be consistent with your views, asking the appointment of a commission as we have before suggested.

We have the honor to remain,

Your obedient servants,

Washington Dessau, Chairman. J. L. Sweat,

HOWARD VAN EPPS,

Committee.

On motion, when the Senate adjourns to-day it will reconvene to-morrow morning at 11 o'clock, and when it adjourns to-morrow it will meet Monday morning at 11 o'clock.

The following Senate bills were read first time:

# By Mr. McMichael—

A bill to abolish the fee system of solicitor-generals of the superior courts.

Referred to Special Judiciary Committee.

## By Mr. McMichael—

A bill to modify and prescribe duties of the clerk of the superior courts.

Referred to Special Judiciary Committee.

#### By Mr. McMichael-

A bill to modify and prescribe the duties of the judges of the superior court.

Referred to Special Judiciary Committee.

By unanimous consent Senate bill No. 31 was withdrawn by its author.

By unanimous consent the following Senate bill was read second time and recommitted to the Special Judiciary Committee:

## By Mr. McMichael—

A bill to amend section 4793 of the Code.

The following Senate bill was withdrawn by its author:

#### By Mr. Park-

A bill to amend paragraph 1 of section 5269 of the Code.

The following House bill was read third time to be put upon its passage:

# By Mr. Bush-

A bill to incorporate the town of Boykin, in Miller county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 30, nays 0.

The bill having received the requisite constitutional majority was passed.

The following House bill was read second time:

#### By Mr. Burton—

A bill to amend section 982 of the Code by adding the town of Lavonia to the list of State depositories.

The following Senate bills were read second time with adverse report from committee. The report was agreed to and bills were lost:

#### By Mr. Mathews-

A bill to prescribe the venue of action that may hereafter be brought by railroad for violations of its rules.

## By Mr. Skelton-

A bill to provide how marriage licenses shall be issued.

## By Mr. Duncan—

A bill to fix the age of consent in this State.

Leaves of absence were granted Senators Reid and Crumbly.

On motion, the Senate adjourned until to-morrow morning at 11 o'clock.

SENATE CHAMBER, ATLANTA, GEORGIA, Friday, July 24, 1903.

The Senate met pursuant to adjournment at 11 o'clock; was called to order by the President.

Prayer was offered by Senator Atkinson.

On motion, the roll-call was dispensed with.

The Journal of yesterday was read and approved.

The following message was received from his Excellency, the Governor, through his Secretary, Mr. Blackburn, to wit:

#### Mr. President:

I am directed by his Excellency, the Governor, to deliver to the Senate a sealed communication to which he respectfully invites the consideration of your honorable body in executive session.

The following message was received from the House through Mr. Boiseuillet, the Clerk thereof:

#### Mr. President:

The House has adopted the following resolution and invites the concurrence of the Senate to the same:

A resolution to appoint a commission on registration of land titles, and for other purposes.

Mr. Tisinger, chairman of the Special Judiciary Committee, submitted the following report:

Mr. President:

The Special Judiciary Committee has had under consideration the following House bill, which it instructs me to report with the recommendation that the same do pass as amended:

A bill to create the city court of Statesboro.

Respectfully submitted.

B. L. TISINGER, Chairman.

Mr. Worsham, chairman pro tem. of the Committee on Engrossing, submitted the following report:

#### Mr. President:

The Committee on Engrossing has examined the following bills, which are found to be correctly engrossed and ready for transmission to the House:

A bill to provide that property without a lawful owner shall belong to the State.

A bill to provide for the registration, sale, inspection and analysis of commercial fertilizers in bulk.

A bill to provide for the registry of transfers of bonds for title.

A bill to provide for the care of certain convicts in this State.

A bill to add Jesup to the list of cities or towns having State depositories.

Respectfully submitted.

W A. Worsham, Chairman pro tem.

Mr. Symons, chairman pro tem. of the Committee on Corporations, submitted the following report:

#### Mr. President:

The Committee on Corporation has had under consideration the following Senate bill, which it instructs me to report with the recommendation that the same do pass:

A bill to amend the charter of the city of Atlanta.

Respectfully submitted.

W F. Symons, Chairman pro tem.

The following message was received from his Excellency, the Governor, through his Secretary, Mr. Blackburn:

#### Mr. President:

His Excellency, the Governor, has approved and signed the following Acts, to wit:

An Act to create a board of road and bridge commissioners for Appling county.

An Act to authorize the Marietta Sewerage Company to occupy the streets of Marietta; to purchase, lease and condemn rights of way and other easements.

An Act to amend an Act establishing the city court of Bainbridge so as to provide that the judge and solicitor of said court shall be elected by the legally qualified voters of Decatur county.

The following House resolution was read first time:

By Mr. Felder—

A resolution appointing a commission to be known as the Commission on the Registration of Land Titles.

Referred to General Judiciary Committee.

The following Senate bills were read third time to be put upon their passage:

By Mr. Howell—

A bill to amend the charter of the city of Atlanta relative to the police commission.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 26, nays 0.

The bill having received the requisite constitutional maority was passed.

By Mr. Hopkins-

A bill to prohibit hunting or fishing on the lands of Thomas county without permission of the owner.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 28, nays 0.

The bill having received the requisite constitutional maority was passed.

The following House bill was read second time:

By Messrs. Deal and Miller—

A bill to create the city court of Statesboro.

The following House bills and resolutions were read third time to be put upon their passage:

# By Mr. Beauchamp—

A resolution to appropriate \$180 as pension to Mrs. Mary E. Flint.

Report of the committee was agreed to.

This being an appropriation the ayes and nays were called and the vote was as follows:

Those voting in the affirmative were Messrs.—

Atkinson, Lee. Skelton. Clark, Smith, Lewis. Clements, Mathews, Snead, Comas, McClure, Symons, Dodd, McMichael, Tisinger, Davis, Van Buren, Merritt, Duncan of 36th, Moore, Williams. Hopkins, Perry, Worsham, Hudson, Roberts,

Those not voting were Messrs.—

Reid, Allen, Hightower, Stevens, Christie, Jordan, Sweat, Crumbley, Ledford, Taylor, Duncan of 10th, McLean. Middlebrooks. Turner. Golden, Mr. President. Park. Harrell,

Ayes 26, nays 0.

The resolution having received the requisite constitutional majority was passed.

By Mr. Burton-

A bill to amend section 982 of the Code so as to add the town of Lavonia to the list of State depositories.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 31, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Pate—

A bill to amend the Acts incorporating the town of Buford, in Gwinnett county

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 24, nays 0.

The bill having received the requisite constitutional majority was passed.

Mr. Matthews, chairman of the Committee on Railroads, submitted the following report:

Mr. President:

The Committee on Railroads has had under consideration the following Senate bill, which it instructs me to report back with the recommendation that the same do pass:

A bill to allow street railroads to take up and remove

their tracks with the consent of mayor and aldermen or county commissioners.

Respectfully submitted.

H. A. MATHEWS, Chairman.

By Mr. McBride-

A bill to incorporate the town of Beloit in Lee county

Report of committee was agreed to.

Upon the passage of the bill the ayes were 30, nays 0; the bill having received the requisite constitutional majority was passed.

By Mr. Slaton—

A bill to provide for the situs of debts due non-residence in this State for purposes of attachment.

On motion, this bill was tabled.

By Mr. Underwood-

A bill to amend section 151 of volume 3 of the Code.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 23, nays 0; the bill having received the requisite constitutional majority was passed.

Mr. Tisinger, chairman of the Special Judiciary Committee, submitted the following report:

Mr. President:

The Special Judiciary Committee has had under consideration the following bill of the Senate, which I am instructed to report with the recommendation that it do pass:

By Mr McMichael of 24th District-

A bill to be entitled an Act to amend section 4793 of the Code of 1895, relating to the sale of lands and tenements by commissioners, etc.

Respectfully submitted.

B. L. TISINGER, Chairman.

The following Senate bills were read third time to be put upon their passage:

By Mr. Smith-

A bill to authorize street railroad companies to take up and remove same with consent of the authorities over same.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0; the bill having received the requisite constitutional majority was passed.

By Mr. McMichael-

A bill to amend section 4793 of the Code relative to the sale of lands.

Report of committee was agreed to.

Upon the passage of the bill the ayes were 23, nays 0 the bill having received the requisite constitutional majority was passed.

Privileges of the floor were extended to Hon. T. W Loyless during his stay in the city.

Leaves of absence were granted Senators Park, Clark and Taylor.

At 11:40 the Senate went into executive session.

The hour of 12 o'clock having arrived for the joint session of the House and Senate to listen to the address of Hon. Jno. Allen of Mississippi, the Senate repaired to the hall of the House of Representatives and was called to order by the President. At the conclusion of the address the Senators returned to the Senate chamber and adjourned until Monday morning at 11 o'clock.

SENATE CHAMBER, ATLANTA, GEORGIA,
Monday, July 27, 1903.

The Senate met pursuant to adjournment at 11 o'clock was called to order by the President pro tem.

Prayer was offered by Senator Atkinson.

Upon motion the roll-call was dispensed with.

The Journal of Friday was read and approved.

Mr. Worsham, chairman pro tem. of the Committee on Engrossing, submitted the following report:

Mr. President:

The Committee on Engrossing has examined the following bills, and resolutions which are found to be correctly engrossed and ready for transmission to the House:

A bill to amend the charter of the city of Atlanta.

A bill to authorize street railway companies to take up and remove their tracks.

A bill to amend section 4793 of the Code of 1895.

A bill to prohibit hunting or fishing on private lands in Thomas county without written consent of the owner.

A resolution to appoint a committee of three from the Senate and five from the House to act with the State School Commissioner in considering the present school laws and report upon the matter:

Respectfully submitted.

W A. Worsham, Chairman pro tem.

The following House bill was read second time by unanimous consent and recommitted to the Temperance Committee.

By Mr. Tracy—

A bill to prohibit the sale of spirituous liquors in Webster county except as provided in this Act.

The following Senate bills was read first time:

# By Mr. Hopkins-

A bill to amend an Act incorporating the town of Meigs in Thomas county.

Referred to the Corporation Committee.

# By Mr. Hopkins-

A bill to provide for the appointment of a game warden and deputy warden of Thomas county.

Referred to the Agricultural Committee.

# By Mr. Perry—

A bill to amend an Act establishing a new charter for the city of Gainesville.

Referred to the General Judiciary Committee.

# By Mr. Perry—

A bill to quiet the title of lands in this State held adversely for period of twenty years.

Referred to the General Judiciary Committee.

The following House bill was read third time to be put upon its passage:

# By Messrs. Deal and Miller-

A bill to create the city court of Statesboro, in Bulloch county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 27; nays 0; the bill having received the requisite constitutional majority was passed as amended.

Amend section 2 by striking therefrom the following: "provided, nevertheless, that Jno. F Brennen be, and he is, hereby appointed judge of said court to serve until —— day of 1906," and inserting in lieu thereof the following: "provided that the first appointment of judge of said court shall be to continue until the 12th day of December, 1906." Also amend section 4 by striking therefrom the following: "that Howell Cone be, and he is, hereby appointed solicitor of said court to serve until the ---- day of 1904," and insert in lieu thereof the following: "The first appointment of solicitor for said court shall be to continue until December 12, 1904." Also amend section 11 by striking therefrom the following: "The times for holding said terms of said court shall be fixed by the city court judge, and may be changed for general convenience, such terms to be as near equi-Notice of the time of distant as convenience will admit. holding said court and of any change in the same shall be given by the judge of said court by advertisement in the newspapers when the sheriff's sales of said county are published," and insert in lieu thereof the following: "The time for holding said court shall be the first Wednesday in each month, and that the terms of said court held in January, April, July and October shall be the quarterly terms of said court." Also amend section 24by striking therefrom the following: "from which shall be drawn sixteen jurors," and insert in lieu thereof the following: "from which shall be drawn not less than sixteen jurors, and in the discretion of the judge twenty-four jurors," and also further amend said section by striking therefrom the following: "No jury shall be summoned to try civil business at a monthly term of said court if there should not be

more than two civil cases in which a trial by jury has been demanded." Also amend section 28 by striking therefrom the following: "If the eight jurors thus left can not be agreed upon as a jury in any case, the judge of said court may have summoned eight tales jurors for the completion of said panel of sixteen," and insert in lieu thereof the following: "Sixteen shall in all cases constitute a panel of jurors, when there have been summoned sixteen or twenty-four, except in those civil cases in which the principal sum claimed amounts to \$1.000.00 or more; in which cases, if demanded by either party, there shall be a panel of twenty-four from which to select a jury, which shall be done as provided for in the superior court. The judge may at any term, in order to facilitate the business of the court, have summoned twenty-four jurors, whether there be a demand for a panel of twenty-four in any case or not." Also amend section 29 by striking therefrom the following: "not exceeding one bailiff," and insert in lieu thereof the following: "bailiffs." Also amend sectian 36 by striking therefrom the following: "five days," and insert in lieu thereof the following: "ten days." Also amend section 41 by adding to the end thereof the following: "In cases arising in said court upon accusation the insolvent fund therefrom shall be distributed as follows: fifty per cent to the solicitor of said court, twenty-five per cent. to the clerk and sheriff of said court, and twenty-five per cent. to the justices of the peace and notaries public under the same provisions as provided above."

Mr. Ledford, chairman of the Committee on Education submitted the following report:

#### Mr President:

The Committee on Education has had under considera-

tion the following Senate bill, which it instructs me toreport back with the recommendation that it do not pass:

A bill to insure efficiency of county school commissioners of this State.

The committee has also had under consideration the following House bills, which it instructs me to report back with the recommendation that they do pass:

A bill to incorporate the Sasser school district, in Terrell county.

A bill to incorporate the Olive Springs school district.

A bill to incorporate the Parrott school district.

A bill to incorporate the Bronwood school district.

A bill to incorporate the Elizabeth school district.

A bill to incorporate the Whitesburg school district, in Carroll county.

A bill to amend Act incorporating the Upshaw school district.

A bill to incorporate the Amity school district.

A bill to amend Act establishing a system of public schools in Wadley.

The committee has also had under consideration the following House bills, which it instructs me to report back with the recommendation that they do pass as amended:

A bill to amend section 1378 of Vol. 1 of the Code of 1895.

A bill to incorporate the Leonard school district, in Cobb county.

Respectfully submitted.

M. L. LEDFORD, Chairman.

The following House bills were read second time:

By Mr. Bell-

A bill to amend section 1378 of the Code relative to admission to common schools.

By Mr. Phillips-

A bill to establish a system of public schools in Wadley.

By Mr. Boykin-

A bill to incorporate the Amity school district, in Lincoln county.

By Mr. Morris-

A bill to incorporate the Olive school district, in Cobb county.

By Messrs. Morris and McLain-

A bill to incorporate the Leonard school district, in Cobb county.

On motion, this bill was recommitted to the Committee on Constitutional Amendments.

On motion, House bills Nos. 491, 533, 534, 543, 563, 551, 519, 603, were tabled.

At 11:30 the Senate went into executive session.

The following Senate bill was read second time with adverse report from the committee:

By Mr. Comas—

A bill to insure the efficiency of county school commissioners.

Report of the committee was agreed to and the bill waslost.

On motion, the Senate adjourned until to-morrow morning at 10 o'clock.

SENATE CHAMBER, ATLANTA, GEORGIA, Tuesday, July 28, 1903.

The Senate met pursuant to adjournment at 10 o'clock; was called to order by the President.

Prayer was offered by Senator Atkinson.

Upon the call of the roll the following membersanswered to their names:

Allen,	Duncan of 36th,	Lewis,
Atkinson,	Golden,	Mathews,
Clark,	Harrell,	McClure,
Clements,	Hightower,	McLean,
Comas,	Hopkins,	McMichael,
Crumbley,	Hudson,	Merritt,
Dodd,	Jordan,	Middlebrooks,
Davis,	Lee,	Moore,
Duncan of 10th,	Ledford,	Park,
Crumbley, Dodd, Davis,	Hudson, Jordan, Lee,	Merritt, Middlebrooks, Moore,

Perry,	Stevens,	Turner,
Reid,	Sweat,	Van Buren,
Roberts,	Symons,	Williams,
Skelton,	Taylor,	Worsham,
Smith,	Tisinger,	Mr. President
Snead,		

Those absent were Messrs.—Christie.

The Journal of yesterday was read and approved.

Mr. Tisinger, chairman of the Special Judiciary Committee, submitted the following report:

#### Mr. President:

The Special Judiciary Committee has had under consideration the following Senate bill, which it instructs me as chairman to report back with the recommendation that the same do pass:

# By Mr. Perry, 33d district—

A bill to be entitled an Act to provide a new charter for the town of Flowery Branch, etc.

Respectfully submitted.

B. L. TISINGER, Chairman.

Mr. Jordan, chairman of the Committee on Agriculture, submitted the following report:

#### Mr. President:

The Committee on Agriculture has had under consideration the following Senate bill which it instructs me to report with the recommendation that the same do pass:

A bill to provide for the appointment of game warden and deputy warden in the county of Thomas.

Respectfully submitted.

C. H. JORDAN, Chairman.

Mr. Jordan, chairman of the Agricultural Committee, submitted the following report:

#### Mr. President:

The Committee on Agriculture has had under consideration the following Senate bill, which it instructs me to report with recommendation that the author be allowed to withdraw the same:

A bill to require the State chemist to analyze any part of the human body in all cases where the coroner's jury decides that death resulted or may have resulted from poison.

Respectfully submitted.

C. H. JORDAN, Chairman.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

#### Mr. President:

The House has passed by the requisite constitutional majority the following bills of the House, to wit:

A bill to amend an Act to incorporate the Merchants Bank of Valdosta.

A bill to amend an Act to create a board of commissioners of roads and revenues for county of Charlton.

A bill to repeal an Act to amend an Act to incorporate the town of Meigs.

A bill to constitute the clerk of the superior court of Macon county ex officio clerk of the county court.

A bill to authorize the county commissioners of Camden county to pay the sheriff a salary.

A bill to empower the mayor and council of the city of Madison to issue bonds.

A bill to create a school district at Fillyar, in the county of Worth.

A bill to authorize the commissioners of roads and revenues of Terrell county to pay to the officers of the superior court and the county court of Terrell county just compensation for misdemeanor convicts.

A bill to amend an Act to amend the charter of the city of Augusta.

A bill to amend an Act to create the city court of Barnesville.

A bill to fix the number of days each person in this State subject to road duty shall work on the roads.

# By Mr. Buchannon of Early—

A bill to amend an Act to create the city court for the county of Early.

# By Mr. Jones of Dougherty—

A bill to repeal an Act approved August 20, 1892, establishing a board of roads and revenues for Dougherty county.

By Mr. Buchannon of Early-

A bill to amend an Act creating a city court for Early county.

By Messrs. Richardson and Johnson of Crawford-

A bill to incorporate the Ben Hill school district in the counties of Houston and Crawford.

By Messrs. Mayson and Candler of DeKalb-

A bill to provide for the registration of voters in the town of Lithonia.

By Mr. Stewart of Calhoun—

A bill to change the time of holding the superior courts in the counties of Decatur, Worth, Calhoun and Mitchell, in the Albany circuit.

The House has concurred in the Senate amendments to the following bills of the House, to wit:

A bill to amend the charter of the town of Chipley.

A bill to incorporate East Ellijay.

A bill to repeal an Act to create a board of advisory commissioners for the counties of Glascock and Laurens.

A bill to amend an Act to reincorporate the town of Waycross.

A bill to repeal an Act to create a board of commissioners for the county of Walton.

A bill to create a board of commissioners for the county of Monroe.

The House has also passed by the requisite constitutional majority the following bills of the Senate, to wit:

A bill to authorize the county of Pierce to issue bonds.

A bill to amend an Act to create a new charter for the city of Douglas.

A bill to prohibit the manufacture of distilled spirits in the county of Hart.

The following message was received from his Excellency, the Governor, through his Secretary, Mr. Blackburn:

#### Mr. President:

I am directed by his Excellency, the Governor, to deliver to the Senate a sealed communication, to which he respectfully invites the consideration of your honorable body in executive session.

Mr. Perry, chairman of the Committee on Constitutional Amendments, made the following report:

#### Mr. President:

The Committee on Constitutional Amendments has had under consideration the following bills of the Senate, which I am instructed to report back with the recommendation that they do pass:

A bill to amend article 6, section 7, paragraph 2, of the Constitution so as to extend the jurisdiction of justices of the peace to suits in trover.

A bill to amend paragraph 1, section 1, and paragraph 5, section 2, and to add a new paragraph to article 6, section 2, to be known as paragraph 9 of the Constitution.

Also, that the following bill of the Senate do pass by substitute:

A bill to increase the salaries of judges of the superior court by amending article 6, section 13, paragraph 1 of the Constitution of this State, and for other purposes.

Respectfully submitted.

H. H. PERRY, Chairman.

The following special orders were taken up:

By Mr. Comas—

A bill to enlarge the powers of the railroad commission so as to require railroads to construct side-tracks.

This bill was adversely reported from the committee.

Mr. Comas moved to disagree to the report of the committee, and on this motion the ayes and nays were ordered and the vote is as follows:

Those voting in the affirmative were Messrs.—

Comas, Mathews, Perry,
Ledford, Merritt, Roberts,

Lewis,

Those voting in the negative were Messrs.—

Allen, Clark, Dodd, Atkinson, Clements, Davis,

Christie, Crumbley, Duncan of 10th,

Duncan of 36th, McMichael, Sweat, Harrell, Middlebrooks, Symons, Hightower, Moore. Taylor, Hopkins, Park, Tisinger, Hudson, Reid, Turner, Jordan, Skelton. Van Buren, Lee. Smith, Williams. McClure, Snead, Worsham,

McLean, Stevens,

Those not voting were Messrs.—

Golden. Mr. President.

Ayes 7, nays 35.

The motion was lost.

The report of the committee was agreed to, and the bill was lost.

The following Senate bills was read first time:

# By Mr. Sweat—

A bill to provide for the crossing of private ways in this State.

Referred to the Special Judiciary Committee.

# By Mr. Hopkins--

A bill to amend the Act establishing a system of public schools in the city of Thomasville.

Referred to the Educational Committee.

The following Senate bill were read second time and recommitted:

By Mr. Perry-

A bill to quiet the title to lands in this State held adversely for a period of twenty years.

By Mr. Perry--

A bill to amend the Act establishing a new charter for the city of Gainesville.

Mr. Duncan, chairman of the Temperance Committee, submitted the following report:

Mr. President:

The Committee on Temperance has had under consideration the following House bill, which it instructs me to report with the recommendation that the same do pass:

A bill to amend Act permitting the establishment of dispensaries in Pulaski county.

Respectfully submitted.

J. T. DUNCAN, Chairman.

Mr. Middlebrooks, chairman of the Committee on Corporations, submitted the following report:

Mr. President:

The Committee on Corporations has had under consideration the following Senate bill, which it instructs me to report back with the recommendation that the same do pass:

A bill to amend an Act incorporating the town of Meigs in Thomas county.

Respectfully submitted.

L. L. MIDDLEBROOKS, Chairman.

The following special order was taken up with adverse report from the committee:

# By Messrs. Steed and Hixon-

A bill to extend the powers of the railroad commission.

Mr. Comas moved to disagree to the report of the committee, and on this motion the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.—

Christie, Mathews, Perry,
Comas, McMichael, Roberts,
Crumbley, Merritt, Symons,
Lewis, Moore,

Those voting in the negative were Messrs.—

Allen, Hudson, Spead, Atkinson, Jordan, Stevens, Clark. Lee. Sweat, Clements, Ledford, Taylor, Dodd, McClure, Tisinger, Davis, McLean, Turner, Duncan of 10th. Middlebrooks, Van Buren. Harrell. Williams. Reid, Hightower, Worsham, Skelton, Hopkins, Smith,

Those not voting were Messrs.—

Duncan of 36th, Park, Mr. President, Golden,

Ayes 11, nays 28.

The motion was lost.

The report of the committee was agreed to and the bill was lost.

The following House bills was read first time:

#### By Mr. Buchannon—

A bill to amend the Act creating the city court of Early county; to provide for the appointment of judge and solicitor.

Referred to Special Judiciary Committee.

#### By Mr. Jones-

A bill to repeal the Act creating the board of roads and revenues for Dougherty county.

Referred to Special Judiciary Committee.

# By Mr. Buchannon-

A bill to to amend the Act creating the city court of Early county.

Referred to Special Judiciary Committee.

# By Messrs. Richardson and Johnson-

A bill to incorporate the Ben Hill school district in Houston and Crawford counties.

Referred to Education Committee.

# By Mr. Rainey-

A bill to authorize the county commissioners of Terrell

county to pay reasonable compensation for misdemeanor convicts.

Referred to Special Judiciary Committee.

By Mr. Dunbar-

A bill to amend the charter of the city of Augusta.

Referred to Corporation Committee.

By Mr. Owen-

A bill to amend the Act establishing the city court of Barnesville.

Referred to Special Judiciary Committee.

By Mr. Tigner-

A bill to fix the number of days each person subject to road duty shall be required to work.

Referred to Agricultural Committee.

By Messrs. Mayson and Candler—

A bill to provide for the registration of voters of the town of Lithonia, in DeKalb county.

Referred to Corporation Committee.

By Mr. Stewart-

A bill to change the time of holding the superior courts in the counties of Decatur, Calhoun, Worth and Mitchell.

Referred to Special Judiciary Committee.

By Mr. West-

A bill to amend the Act incorporating the Merchant's Bank of Valdosta.

Referred to Banks Committee.

By Mr. Mizell—

A bill to amend the Act establishing a board of commissioners of roads and revenues for Charlton county.

Referred to Special Judiciary Committee.

By Messrs. Mitchell, Rountree and Singletary-

A bill to amend an Act incorporating the town of Meigs, in Thomas county.

Referred to Corporation Committee.

By Mr. Hayes-

A bill to constitute the clerk of the superior court of Macon county ex officio clerk of the county court.

Referred to Special Judiciary Committee.

By Mr. George-

A bill to authorize the mayor and council of Madison to issue bonds to establish waterworks.

Referred to Corporation Committee.

By Mr. Alford-

A bill to establish a school district at Fillgard, in Worth county.

Referred to Education Committee,

# By Mr. Procter—

A bill to authorize the county commissioners of Camden county to pay the sheriff of said county \$400.00 in addition to his regular fees.

Referred to Special Judiciary Committee.

The following Senate bills were read first time:

# By Mr. Howell-

A bill to repeal section 233 of the Political Code.

Referred to General Judiciary Committee.

# By Mr. Tisinger-

A bill to amend section 982 of the Code.

Referred to Banks Committee.

The following House bill was read third time to be put upon its passage:

By Messrs. Hardman, Holder and Shackelford-

A bill to provide for the teaching of the elementary principles of agriculture and civil government.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite constitutional majority was passed as amended, and the amendments are by striking out section 3 of the bill.

The following Senate bills were read second time:

# By Mr. McLean-

A bill to require the State Chemist to examine dead persons when their death was caused by suspected poisoning.

This bill was withdrawn by its author.

#### By Mr. Comas-

A bill to amend article 6, section 7, paragraph 2 of the Constitution so as to extend the jurisdiction of the justice of the peace.

#### By Mr. Mathews-

A bill to amend paragraph 1, section 1, and paragraph 5 of the Constitution.

## By Mr. Comas-

A bill to increase the salary of the judges of the superior court from \$2,000.00 to \$2,500.00.

# By Mr. Hopkins—

A bill to amend an Act incorporating the town of Meigs in Thomas county.

# By Mr. Hopkins-

A bill to provide for a game warden and deputy warden in Thomas county.

# By Mr. Perry—

A bill to provide a new charter for the town of Flowery Branch.

The following Senate bills were read first time.

# By Mr. Duncan-

A bill to define and regulate the business of industrial life insurance.

Referred to the Bank Committee.

By Mr. Skelton (by request)—

A bill to prohibit the sale of cigarettes in Hart county.

Referred to Constitutional Amendment Committee.

The following House bill was read second time:

By Mr. Grice-

A bill to amend the Act permitting the establishment of a dispensary in Pulaski county.

The following House bill was read third time to be put upon its passage:

By Mr. Phillips-

A bill to amend an Act establishing a system of public schools in the town of Wadley.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 30, nays 0; the bill having received the requisite constitutional majority was passed.

The following Senate bill was read third time to be put upon its passage:

By Mr. Park--

A bill to provide that no person living within the territory embodied in any local public school shall be eligible to serve on the board of education.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0; the bill having received the requisite constitutional majority was passed as amended, and the amendment is as follows:

Amend section 1 by adding "provided the grand jury orother authority selecting said board may in their discretion select one member of said loard from within the territory embraced by a local public school system."

At 12:30 the Senate went into executive session.

# MINORITY REPORT OF GENERAL JUDICIARY COMMITTEE ON THE BILL TO HAVE THE RAILROAD COMMISSIONERS ELECTED BY THE PEOPLE.

We the undersigned, after a careful consideration, feel constrained to oppose the passage of the above bill which has received a favorable report from the General Judiciary Committee, to which we belong.

One of the reasons which prompts us in opposing this bill may be summed up in the statement that, on its face, the bill seems to be unfair to the railroads.

We believe in the Railroad Commission and in the law establishing this commission. We favor giving it all the power it can ever need in order to fairly control railroads in the interest of the people.

If it has not such power now, we will support any measure which will confer on the commission any needed power or authority, to prevent discrimination or oppression by railroad managements.

For this reason, we are opposed to making this important office a political office, in the sense that it is to be contended for in a popular scramble. There is this difference between this office and any other office in the State government. This office is that of an arbiter between the people, whose interest is always to have a reduction of freight rates, and the railroads whose interest is to maintain existing rates, or to fix higher rates.

The commission stands as a jury trying the facts between the two parties at interest—the people on the one hand, the railroads on the other. The facts in issue relate to the reasonableness in rates, the necessity for the erection of depot facilities, and other matters of great importance, in all of which the general public has business interests directly conflicting with the railroad interests. Of all these matters, the commissioners are arbitrators between the people on the one hand and the railroads on the other.

As a part of the people, and representing a people who desire us to be fair, we do not claim for ourselves the exclusive right to select the jury to try the issue between us and the railroads.

The people have been and are still willing to say to the Governor: "Select three fair, capable men, who are willing to do us justice and are able to treat the railroads fairly, and entrust them with this great power. We are parties at interest, and recognize that it is hardly fair that we ourselves should select the jury."

We need not elaborate, but only state the proposition, that to make the office of commissioner elective would furnish a strong temptation to the commissioners in power to administer their office with reference to coming elections; would inject issues into the election that ought to be decided only with that deliberate fairness which can be attained where the personal and political fortunes of the commissioners are not in any way involved.

B. L. TISINGER,
H. A MATHEWS,
T. G. HUDSON,
R. J. WILLIAMS,
JNO. D. TAYLOR,
Committee.

On motion, the Senate adjourned until to-morrow morning at 10 o'clock.

# SENATE CHAMBER, ATLANTA, GEORGIA, Wednesday, July 29, 1903.

The Senate met pursuant to adjournment at 10 o'clock; was called to order by the President.

Prayer was offered by Senator Atkinson.

Upon the call of the roll the following members answered to their names:

Atkinson,	Duncan of 10th,	Ledford,
Christie,	Duncan of 36th,	Lewis.
Clark,	Golden,	Mathews,
Clements,	Harrell,	McClure,
Comas,	Hightower,	McLean,
Crumbley,	Hopkins,	McMichael,
Dodd,	Hudson,	Merritt,
Davis,	Jordan,	Moore,

Park. Snead. Turner, Perry, Stevens, Van Buren. Reid, Sweat. Williams, Roberts. Symons, Worsham, Skelton. Taylor, Mr. President, Smith, Tisinger,

Those absent were Messrs.—

Allen, Lee, Middlebrooks,

The Journal of yesterday was read and approved.

Senator Lee was granted leave of absence on account of sickness.

Mr. Tisinger, chairman of the Special Judiciary Committee, submitted the following report:

#### Mr. President:

The Special Judiciary Committee has had under consideration the following bill of the Senate, which I am instructed to report with the recommendation that it do not pass:

A bill to require broad-tired wagons to be used on the public roads of this State.

The committee has also had under consideration the following bills of the House, which it instructs me to report with the recommendation that they do pass:

A bill to create a board of commissioners of roads and revenues for Randolph county.

A bill to constitute the clerk of the superior court of Macon county ex officio clerk of the county court of said county.

A bill to amend an Act creating a board of commissioners of roads and revenues for Charlton county.

A bill to change and fix the time of holding the superior courts of the counties of Decatur, Worth, Calhoun and Mitchell.

A bill to authorize the county commissioners of roads and revenues of Camden county to pay the sheriff a salary of \$400.00 in addition to fees.

A bill to amend an Act establishing the city court of Barnesville.

A bill to amend an Act creating a city court for Early county.

A bill to repeal an Act establishing a board of commissioners of roads and revenues for Dougherty county.

The committee has had under consideration the following House bills, which it instructs me to report with the recommendation that they do pass as amended:

A bill to authorize the board of commissioners of roads and revenues to pay reasonable compensation to the officers of the superior court of Terrell county and the city court of Dawson for misdemeanor convicts.

A bill to amend an Act creating a city court for Early county.

The committee has also had under consideration the following House bill, which it instructs me to report with the recommendation that the same do pass by substitute: A bill to amend an Act incorporating the town of Jeffersonville, in Twiggs county.

Respectfully submitted.

B. L. TISINGER, Chairman.

Mr. Perry, chairman of the General Judiciary Committee, made the following report:

Mr. President:

The General Judiciary Committee has had under consideration the following bill of the Senate, which I am instructed to report back with the recommendation that it do pass:

A bill to repeal section 233, Vol. 1, of the Political Code, relative to annual reports by public officers.

Also, that the following bills of the Senate do pass as amended:

A bill to amend an Act establishing a new charter for Gainesville.

A bill to quiet the title to lands in this State held adversely for a period of twenty years under duly recorded deeds, and for other purposes.

Also, that the following Senate resolution do pass:

A resolution for the relief of J. K. McAfee, J. R. Grice and W H. Raley, sureties on bond of Charlie Harris.

Also, that the following House resolution do pass:

A resolution to appoint a committee from the Senate and House to consider and investigate the registration of land titles.

Respectfully submitted.

H. H. PERRY, Chairman.

Mr. Duncan, chairman of the Committee on Temperance, submitted the following report:

#### Mr. President:

The Committee on Temperance has had under consideration the following House bill, which it instructs me to report with the recommendation that the same do pass:

A bill to establish and maintain a dispensary in the city of Statesboro.

Respectfully submitted.

Duncan, 36th, Chairman.

Mr. Duncan, chairman of the Committee on Engrossing, submitted the following report:

#### Mr. President:

The Committee on Engrossing has examined the following bill, which is found to be correctly engrossed and ready for transmission to the House:

A bill to provide that no person living within the territory of any public school shall be eligible to serve on the county board of education.

Respectfully submitted.

Duncan, 10th, Chairman.

Mr. Symons, chairman of the Committee on Enrollment, submitted the following report:

#### Mr. President:

The Committee on Enrollment report as duly enrolled, signed by the President of the Senate and Speaker of the House and delivered to the Governor the following Acts, to wit:

An Act to create a new charter for the city of Douglas, in Coffee county.

An Act to authorize the issue and sale of bonds by Pierce county for building and equipping schoolhouses, and for other purposes.

An Act to probibit the manufacture of distilled spirits in Hart county.

Respectfully submitted.

W F Symons, Chairman.

Mr. Symons, chairman of the Committee on Enrollment, submitted the following report:

#### Mr. President:

The Committee on Enrollment report as duly enrolled and ready for the signatures of the President of the Senate and Speaker of the House the following Acts, to wit:

An Act to create a new charter for the city of Douglas, in Coffee county.

An Act to authorize the issue and sale of bonds by Pierce

county for building and equipping schoolhouses, and for other purposes.

An Act to prohibit the manufacture of distilled spirits in Hart county.

Respectfully submitted.

W. F Symons, Chairman.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

#### Mr. President:

The House has passed by the requisite constitutional majority the following bills of the House, to wit:

# By Messrs. Mann and Strickland-

A bill to create a board of commissioners of roads and revenues for Tattnall county

# By Mr. Spence of Ware-

A bill to amend the Act to reincorporate the town of Waycross as the city of Waycross.

# By Mr. Booth of Walton-

A resolution for the relief of G. S. Duke from taxes for the years 1898 and 1899.

# By Mr. Jones of Dougherty—

A bill to create a new board of commissioners of Dougherty county.

By Messrs. Rogers and Thompson of Hall-

A bill to incorporate the town of Oakwood, in Hall county.

By Mr. Owen of Pike-

A bill to incorporate Milner school district.

By Mr. Alford-

A bill to create a school district at Doles, Worth county.

By Mr. Richardson-

A bill to establish a new charter for the town of Byron.

By Mr. Stovall of Chatham-

A bill to provide compensation for the aldermen of Savannah.

By Mr. Newton-

A bill to incorporate the town of Kingwood.

By Mr. Alexander-

A bill to amend an Act to establish the city court of Washington, in Wilkes county.

By Messrs. Martin and Hawes-

\* A bill to create a school system for Bowman.

By Mr. Cann-

A bill to amend the charter of the Savannah Trust Co.

By Mr. Calvin-

A bill to provide for the protection of birds and their nests.

By Messrs. Lane and Hixon-

A bill to amend an Act to create the city court of Americus.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

#### Mr. President:

The House has passed by the requisite constitutional majority the following resolution of the House, to wit:

A resolution to appropriate \$50,000 to make an exhibit at the St. Louis exposition.

The following Senate bills were read first time:

# By Mr. Atkinson-

A bill to amend section 3393 of the Code as to application for administration.

Referred to General Judiciary Committee.

# By Mr. Van Buren—

A bill to require the ordinaries of the several counties to keep a list of the pensioners of their counties.

Referred to Pension Committee.

The following Senate bills were read second time and recommitted to the Special Judiciary Committee, and 100 copies ordered printed:

#### By Mr. McMichael-

A bill to abolish the fee system of solicitor-generals of this State.

#### By Mr. McMichael—

A bill to modify and prescribe the duties of the clerks of the superior courts.

#### By Mr. McMichael—

A bill to modify and prescribe the duties of the judges of the superior courts.

The following special order was taken up, which is a bill:

# By Mr. Rankin-

A bill to elect the railroad commission by the people.

Mr. Skelton moved to displace the special order and make it the special order for next Wednesday morning.

The motion was lost.

Mr. Skelton moved to recommit this bill and amendments to the General Judiciary Committee.

The motion was lost.

The following amendment was offered by Mr. Skelton:

Amend section 1 after the words "General Assembly"

and "Railroad Commission" the following: "so elected shall be a citizen of the State of Georgia four years, and shall have attained the age of twenty-five years, and no other requirement shall be required."

On this amendment the ayes and nays were ordered, and the vote was as follows:

Those voting in the affirmative were Messrs.—

Comas,	Hightower,		Mathews,
Dodd,	Hopkins,		McMichael,
Davis,	Jordan,		Skelton,
Harrell,	Lewis,	•	Snead.

Those voting in the negative were Messrs.—

Atkinson,	McClure,	Stevens,
Christie,	McLean,	Sweat,
Clark,	Merritt,	Symons,
Clements,	Moore,	Taylor,
Crumbley,	Park,	Tisinger,
Duncan of 10th,	Perry,	Turner,
Duncan of 36th,	Reid,	Van Buren,
Hudson,	Roberts,	Williams,
Ledford,	Smith,	Worsham,

Those not voting were Messrs.—

Allen,	Lee.	Mr.	President
C.11	36:33:		

Golden, Middlebrooks,

Ayes 12, nays 27

The amendment was lost.

Mr. Atkinson moved to disagree to the report of the committee, which is favorable to the passage of the bill.

On this motion the ayes and nays were ordered, and the vote was as follows:

# Those voting in the affirmative were Messrs.—

Atkinson. Mathews, Stevens, ·Christie, McClure, Sweat, Symons, Clark, McLean, Clements. McMichael, Taylor, Crumbley. Moore. Tisinger, Duncan of 10th, Park, Turner, Duncan of 36th, Reid, Van Buren, Hightower, Skelton, Williams, Hudson, Smith, Worsham, . Jordan,

Those voting in the negative were Messrs.—

Comas, Hopkins, Perry,
Dodd, Ledford, Roberts,
Davis, Lewis, Snead,
Harrell, Merritt,

Those not voting were Messrs.—

Allen, Lee, Mr. President, Golden, Middlebrooks,

Ayes 28, nays 11.

The motion was carried.

Upon the passage of the bill the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.—

Comas, Hopkins, Merritt,
Dodd, Ledford, Perry,
Davis, Lewis, Snead,

Harrell,

These voting in the negative were Messrs.—

Atkinson, Christie, Clark,

Clements. McLean, Sweat, McMichael, Symons, Crumbley, Duncan of 10th, Moore, Taylor, Tisinger. Duncan of 36th, Park, Hightower, Roberts, Turner. Skelton, Van Buren, Hudson, Jordan. Smith, Williams, Mathews, Stevens, Worsham,

McClure,

Those not voting were Messrs.—

Allen, Lee, Reid, Golden, Middlebrooks, Mr. President,

Ayes 10, nays 28.

The bill not having received the requisite constitutional majority was lost.

The following House bills were read first time:

# By Mr. Alexander—

A bill to amend the Act establishing the city court of Washington.

Referred to Special Judiciary Committee.

# By Mr. Richardson-

A bill to establish a new charter for the town of Byron.

Referred to Corporation Committee.

# By Mr. Calvin-

A bill to provide for the protection of birds and their nests.

Referred to Agricultural Committee.

By Mr. Jones-

A bill to create a new board of county commissioners of Dougherty county.

Referred to Special Judiciary Committee.

By Messrs. Martin and Hawes-

A bill to create a local public school system in Bowman and vicinity.

Referred to Education Committee.

By Mr. Alford-

A bill to create a school district at Doles, Worth county.

Referred to Education Committee.

By Messrs. Rogers and Thompson—

A bill to incorporate the town of Oakwood, in Hall county.

Referred to Corporation Committee.

By Messrs. Lane and Hixon-

A bill to amend the Act creating the city court of Americus.

Referred to Special Judiciary Committee.

By Messrs. Mann and Strickland-

A bill to create a board of commissioners of roads and revenues for Tatnall county.

Referred to Special Judiciary Committee.

#### By Mr. Owen—

A bill to incorporate the Milner school district.

Referred to Education Committee.

#### By Mr. Newton-

A bill to incorporate the town of Kingwood, in Colquitt county.

Referred to Corporation Committee.

# By Mr. Cann-

A bill to amend the charter of the Savannah Trust Co.

Referred to Banks Committee.

# By Mr. Stovall—

A bill to provide that each alderman of the city of Savannah shall receive a salary or compensation, to be paid out of the treasury.

Referred to Corporation Committee.

# By Mr. Booth-

A resolution for the relief of S. S. Duds from taxes for the years 1898 and 1899.

Referred to Finance Committee.

The following Senate bill and resolution was read secondatime:

# By Mr. Williams-

A resolution for the relief of J. K. McAfee, J. R. Grice, and W H. Raley, sureties on the bond of Charlie Harris.

# By Mr. Howell-

A bill to repeal section 233 of the Code.

The following Senate bills were read third time to be put upon their passage:

#### By Mr. Comas—

A bill to amend article 6, section 7, paragraph 2 of the Constitution, to extend the jurisdiction of the justices of the peace.

Report of the committee was agreed to.

This being a constitutional amendment the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.-

<b>67.</b> • • • •		
Christie,	Ledford,	Smith,
Clark,	Lewis.	Snead,
Clements,	Mathews,	Stevens,
Comas,	McLean,	Sweat,
Crumbley,	Merritt,	Symons,
Dodd,	Moore,	Taylor,
Davis,	Park,	Tisinger,
Duncan of 36th,	Perry,	Turner,
Harrell,	Reid,	Van Buren,
Hightower,	Roberts,	Williams,
Hopkins,	Skelton,	Worsham,
Jordan,		

Those not voting were Messrs.—

Allen, Hudson, McMichael,
Atkinson, Lee, Middlebrooks,
Duncan of 10th, McClure, Mr. President,
Golden.

Ayes 34, nays 0.

The bill having received the requisite constitutional majority was passed, and the bill is as follows:

#### A BILL

To be entitled an Act to amend article 6, section 7, paragraph 2 of the Constitution so as to extend the jurisdiction of justices of the peace to suits in trover, and for other purposes.

Be it enacted by the General Assembly of Section 1. the State of Georgia, and it is hereby enacted by authority of the same, That article 6, section 7, paragraph 2 of the Constitution of the State be amended by inserting after the word "property" in the third line and before the word "when" the words "and suits in trover," so that when amended said paragraph 2 of section 7 of article 6 of the Constitution will read as follows: "Justices of the peace shall have jurisdiction in all civil cases arising ex contractu and in cases of injury or damage to personal property and suits in trover when the principal sum does not exceed one hundred (100) dollars, and shall sit monthly at fixed times and places; but in all cases there may be an appeal to a jury in said court or an appeal to the superior court and such regulations as may be prescribed by law."

SEC. 2. Be it further enacted by the authority aforesaid, That if this amendment shall be agreed to by two-thirds of the members of the General Assembly of each

house, the same shall be entered on their journals with the ayes and nays taken thereon, and the Governor shall cause the amendment to be published in one or more of the papers in each congressional district for two months immediately preceding the next general election, and the voters thereat shall have written or printed on their tickets "for ratification" or "against ratification," as they may choose, and if a majority of the electors qualified to vote for members of the next General Assembly voting shall vote in favor of ratification, then said amendment shall become a part of said article 6, section 7, paragraph 2 of the Constitution of this State, and the Governor shall make proclamation thereof.

SEC. 3. Be it turther enacted by authority aforesaid. That all laws and parts of laws in conflict with this Act be, and the same are, hereby repealed.

#### By Mr Comas-

A bill to increase the salaries of the judges of the superior court to \$2,500.00.

Report of the committee was agreed to.

Upon the passage of the bill the ayes and nays were called and the vote was as follows:

Those voting in the affirmative were Messrs.-

Atkinson,	Hightower,	Moore,
Christie,	Hopkins,	Perry,
Clark,	Hudson,	Reid,
Clements,	Jordan,	Skelton,
Comas,	Mathews,	Smith,
Crumbley,	McClure,	Snead,
Davis.	McMichael,	Stevens,
Duncan of 36th,	Merritt,	Sweat,

330

Symons, Turner, Williams, Taylor, Van Buren, Worsham,

Tisinger,

Those voting in the negative were Messrs.—

Harrell, Lewis, McLean, Ledford,

Those not voting were Messrs.—

Allen, Golden, Park,
Dodd, Lee, Roberts,
Duncan of 10th, Middlebrooks, Mr. President.

Ayes 31, nays 4.

The bill having received the requisite constitutional majority of two-thirds was passed by substitute as amended, and the amendment is to strike out \$5,000 and insert \$4,000, also strike out \$3,500 and insert \$3,000.

# By Mr. Perry-

A bill to provide a new charter for the town of Flowery Branch.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 28, nays 0; the bill having received the requisite constitutional majority was passed.

# By Mr. Hopkins-

A bill to provide for the appointment of a game warden and deputy warden for Thomas county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 28, nays 0; the bill having received the requisite constitutional majority was passed.

# By Mr. Hopkins-

A bill to amend the Act incorporating the town of Meigs in Thomas county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 28, nays 0; the bill having received the requisite constitutional majority was passed.

# By Mr. Perry-

A bill to amend the Act establishing a new charter for the city of Gainesville.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 28, nays 0; the bill having received the requisite constitutional majority was passed as amended.

Amend by striking out section 5 entirely, and changing the numbers of sections 6 and 7 to 5 and 6, respectively

# By Mr. Perry-

A bill to quiet the title to land in this State held adversely for a period of twenty years.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 32, nays 0: the bill having received the requisite constitutional majority was passed as amended.

Amend section 1 by adding in sixth line after the word "constituted" the words "and maintained." Amend section 2 by adding to said section the words "provided, said plaintiff, or those under whom he holds, had a right of action during said period."

The following Senate bills were read second time and recommitted:

# By Mr. Tisinger-

A bill to amend section 982 of the Code.

# By Mr. Skelton-

A bill to prohibit the sale of cigarettes in Hart county.

The following Senate bills were read first time:

# By Mr. Davis-

A bill to amend section 1908 of the Code, which provides who shall manage banks.

Referred to Committee on Banks.

# By Mr. Perry—

A bill to cede to the United Stated certain lands in Gainesville to build post-office.

Referred to General Judiciary Committee.

The following House bill was read second time and recommited:

By Messrs. Mitchell, Rountree and Singletary.

A bill to repeal an Act amending the charter of the town of Meigs.

The following House bills were read second time:

# By Mr. Rainey-

A bill to authorize the commissioners of roads and revenues of Terrell county to pay reasonable compensation for misdemeanor convicts.

# By Mr. Buchannon-

A bill to amend the Act creating a city court for the county of Early.

# By Mr. Owen-

A bill to amend the Act establishing the city court of Barnesville.

# By Mr. Stewart-

A bill to change and fix the time for holding the superior courts of the counties of Decatur, Worth, Calhoun and Mitchell.

# By Mr. Hayes—

A bill to constitute the clerk of the superior court of Macon county ex officio clerk of the county court.

# By Mr. Mizell-

A bill to amend the Act creating the board of county commissioners of Charlton county

#### By Mr. Buchannon—

A bill to amend the Act creating the city court for the county of Early

# By Mr. Proctor—

A bill to authorize the county commissioners of Camden county to pay the sheriff of said county \$400.00 as salary.

# By Mr. Duggan-

A bill to create a board of county commissioners of Randolph county

# By Mr. Griffin-

A bill to amend the Act incorporating the town of Jeffersonville, in Twiggs county.

# By Messrs. Miller and Deal-

A bill to provide for the establishment and maintenance of a dispensary in Statesboro.

At 12:30 the Senate went into executive session.

Leaves of absence was granted Senators Reid, Sweat, Comas and Van Buren to visit camps.

On motion, the Senate adjourned until to-morrow morning at 10 o'clock.

SENATE CHAMBER, ATLANTA, GEORGIA, Thursday, July 30, 1903.

The Senate met pursuant to adjournment at 10 o'clock; was called to order by the President.

Prayer was offered by the Chaplain.

Upon the call of the roll the following members answered to their names:

Allen, Hudson, Perry, Jordan, Roberts, Atkinson, Christie, Lee. Skelton, Clark, Ledford, Smith, Clements. Lewis, Snead, Crumbley, Mathews, Stevens, Dodd, McClure, Symons, Davis, McLean, Taylor, McMichael, Duncan of 10th, Tisinger, Duncan of 36th, Merritt, Turner, Golden. Middlebrooks, Williams, Harrell, Worsham. Moore. Mr. President. Hightower, Park, Hopkins,

Those absent were Messrs.—

Comas, Sweat, Van Buren,

Reid,

The Journal of yesterday was read and approved.

Mr. Tisinger, chairman of the Special Judiciary Committee, submitted the following report:

#### Mr. President:

The Special Judiciary Committee has had under consideration the following Senate bills, which it instructs me, as

chairman, to report back with the recommendation that the same do pass:

By Mr. Park--

An Act to amend an Act establishing a dispensary in the town of Hogansville, etc.

By Mr. Sweat-

An Act to provide for the closing of private ways in this State in certain cases, etc.

Also, the following House bills, which I am instructed to report with the recommendation that the same do pass:

An Act to create a board of commissioners of roads and revenues for the county of Tattnall, etc.

An Act to amend an Act entitled an Act to establish the city court of Washington in and for the county of Wilkes, etc.

An Act to create a new board of commissioners of roads and revenues for Dougherty county, etc.

Respectfully submitted.

B. L. TISINGER, Chairman.

Mr. Christie, chairman of the Committee on Banks, submitted the following report:

Mr. President:

The Committee on Banks has had under consideration the following bill of the Senate, which it instructs me to report back with the recommendation that the same do pass: A bill to amend section 982 of the Code relative to the appointments of banks as State depositories.

Respectfully submitted.

S. R. CHRISTIE, Chairman.

Mr. Christie, chairman of the Committee on Banks, submitted the following report:

#### Mr. President:

The Committee on Banks has had under consideration the following bill of the House, which it instructs me to report back with the recommendation that the same do pass:

A bill to amend the Act incorporating the Merchants Bank of Valdosta, approved December 26, 1888.

Respectfully submitted.

S. R. Christie, Chairman.

The following resolution of the House was read first time:

By Mr. Dunbar-

A resolution to appropriate \$50,000 for a display at the St. Louis exposition.

Referred to Appropriation Committee.

The following Senate bills were read second time:

By Mr. Park—

A bill to require the use of broad-tired wagons on the public roads of this State.

This bill was tabled.

By Mr. Sweat—

A bill to provide for the closing of private ways in this State in certain cases.

Mr. Davis, chairman of the Committee on Finance, made the following report:

Mr. President:

The Committee on Finance has had under consideration the following bill of the House, which it instructs me to report back with the recommendation that it do pass:

A bill to pay off and retire bonds of this State as they mature by levy and collection of a tax for that purpose, and for other purposes.

Respectfully submitted.

Wm. H. Davis, Chairman.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

Mr. President:

The House has passed by the requisite constitutional majority the following bills of the House, to wit:

By Mr. Thurman of Walker—

A bill to establish a new charter for the town of Lafayette, in Walker county.

By Mr. Howard of Baldwin-

A bill to appropriate \$15,000 to the Georgia State Sanitarium.

The House returns Senate resolution No. 19 and re-

quests that the author be allowed to withdraw the same, as a measure carrying out the purposes of this resolution has been previously enacted.

The following message was received from his Excellency, the Governor, through his Secretary, Mr. Blackburn:

#### Mr. President:

I am directed by his Excellency, the Governor, to deliver to the Senate a communication in writing.

The following joint resolution was adopted:

#### By Mr. Davis—

A resolution convening the Senate and House in joint session to-morrow at 12 o'clock to listen to an address by Hon, W B. Hill.

The following House bills were read second time:

# By Mr. Jones—

A bill to create a new board of county commissioners for Dougherty county.

This bill was tabled.

# By Mr. Alexander-

A bill to amend the Act establishing the city court of Washington.

# By Mr. West-

A bill to amend the Act incorporating the Merchants Bank at Valdosta.

By Messrs. Mann and Strickland-

A bill to create a board of commissioners of roads and revenues for Tattnall county.

The following Senate bills were read third time to be put upon their passage:

# By Mr. Howell-

A bill to repeal section 233 of the Political Code relative to annual reports of public officers.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 31, nays 0.

The bill having received the requisite constitutional majority was passed.

#### By Mr. Mathews-

A bill to amend paragraph 1, section 1, and paragraph 5, section 2, and to add a new paragraph to article 6, section 2, to be known as paragraph 9 of the Constitution.

On motion, this bill was made special order for next Tuesday immediately after the reading of the Journal.

The following bill was read first time:

# By Mr. Hudson-

A bill to amend section 4868 of Vol. 2 of the Code.

Referred to Special Judiciary Committee.

The following message was received from the Governor:

July 30, 1903.

To the General Assembly:

I have the honor to call your attention to the accompanying correspondence, in which the relict of Honorable James S. Boynton tenders to the State a life-size portrait of this distinguished Georgian. I respectfully suggest that the generous tender be acknowledged and received by appropriate resolution.

J. M. TERRELL, Governor.

July 24, 1903.

Mrs. James S. Boynton, High Shoals, Ga.:

My Dear Madame:—I understand that you have a life-size portrait of your distinguished husband which you are willing to donate to the State, to be hung among the galaxy of Georgians whose portraits now adorn the walls of the Capitol. I will appreciate a formal letter from you making this tender, in order that I may do myself the pleasure and the State the honor of having the same received by fitting resolution, during the sitting of the present General Assembly.

With great esteem, I have the honor to be,
Yours very sincerely,
J. M. TERRELL, Governor.

Gov. Jos. M. Terrell:

My Dear Sir:—Your letter of the 24th inst. has been received, and knowing how deeply interested my husband was in the welfare and prosperity of our State, and how he loved her people, I cheerfully tender to the State, through you, the life-size portrait of him to be hung among the other faces that adorn the walls of the State Capitol.

The portrait is now subject to your orders, at Mrs. Gregory's studio, 33 Luckie street.

Sincerely,

MRS. JAMES S. BOYNTON.

High Shoals, Ga., July 27, 1903.

The following Senate bill was read second time and recommitted.

By Mr. Perry-

A bill to provide for the appointment of probation officers and to define their duties.

The following Senate bill was read third time and put upon its passage:

By Mr. Tisinger-

A bill to amend section 982 of the Code providing for the selection of banks as State depositories.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 28, nays 0.

The bill having received the requisite constitutional majority was passed as amended, by striking the words "one or more" in the 6th line of the caption of the bill, and in the 11th line of section 1, and substituting in lieu thereof the words "not more than two."

The following resolution was read and adopted:

By Mr. Skelton—

A resolution to appoint a committee from the Senate and House to investigate certain charges about lobbying in the General Assembly.

Mr. Perry moved to table the resolution, which motion was lost.

Committee on part of Senate are Senators Skelton, Harrell and Davis.

Mr. Duncan, chairman of the Committee on Engrossing, submitted the following report:

#### Mr. President:

The Committee on Engrossing has examined the following bills, which it finds correctly engrossed and ready for transmission to the House.

A bill to extend the jurisdiction of justices of the peace to suits in trover.

A bill to prescribe salaries for judges of the Supreme and superior courts.

A bill to provide a new charter for the town of Flowery Branch.

A bill to provide for a game warden and deputy wardens for Thomas county.

A bill to amend an Act incorporating the town of Meigs in Thomas county.

A bill to quiet the title to lands held adversely twenty years under duly recorded deeds.

Respectfully submitted.

Duncan, 10th, Chairman.

Mr. Middlebrooks, chairman of the Committee on Corporations, submitted the following report:

#### Mr. President:

The Committee on Corporations has had under consideration the following House bills, which it instructs me to report, with the recommendation that they do pass:

A bill to provide for the registration of the voters of Lithonia.

A bill to incorporate the town of Oakwood.

A bill to empower the mayor and city council of Madison to purchase bonds, maintain and equip a system of water-works, and for other purposes.

A bill to provide a salary for the aldermen of Savannah.

A bill to amend charter of city of Augusta.

A bill to incorporate the town of Kingwood.

Respectfully submitted.

L. L. MIDDLEBROOKS, Chairman.

The following House bills were read first time:

By Mr. Howard-

A bill to appropriate \$15,000 to the State Sanitarium.

Referred to the Appropriation Committee.

By Mr. Thurman-

A bill to establish a new charter for the town of Lafayette in Walker county.

Referred to the Corporation Committee.

The following House bills were read second time:

By Mr. Dunbar-

A bill to amend the charter of the city of Augusta.

By Mr. Stovall-

A bill to provide that each alderman of the city of Savannah shall receive compensation for his services.

By Mr. George-

A bill to empower the mayor and city council of Madison to purchase bonds.

By Messrs. Rogers and Thompson-

A bill to incorporate the town of Oakwood, in Hall county.

By Messrs. Mayson and Candler—

A bill to provide for the registration of voters of Lithonia.

By Mr. Newton-

A bill to incorporate the town of Kingwood, in Colquitt county.

The following resolution of the House was read and adopted:

By Mr. Felder-

A resolution relative to the registration of land titles.

Mr. Christie, chairman of the Committee on Banks, made the following report:

Mr. President:

The Committee on Banks has had under consideration the following bill of the Senate, which I am instructed to report back with the recommendation that it do pass:

A bill to regulate and define the business of industrial life insurance.

Respectfully submitted.

S. R. Christie, Chairman.

Mr. Duncan, chairman of the Committee on Temperance, submitted the following report:

Mr. President:

The Committee on Temperance has had under consideration the following bill of the House, which it instructs me to report back to the Senate with the recommendation that. the same do pass:

A bill to prohibit the sale of spirituous liquors in Webster county except as herein provided for.

Respectfully submitted.

Duncan, 36th, Chairman.

The following House bills were read third time to be putupon their passage:

By Mr. Griffin—

A bill to amend the Act incorporating the town of Jefferson ville.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 25, nays 0.

The bill having received the requisite constitutional majority was passed by substitute.

By Mr. Grice—

A bill to amend the Act permitting the establishment of a dispensary in the county of Pulaski.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite constitutional majority was passed.

#### By Mr. Mizell—

A bill to amend the Act creating the board of county commissoners of Charlton county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite constitutional majority was passed.

#### By Mr. Hayes-

A bill to constitute the clerk of the superior court ex officio clerk of the county court of Macon county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 28, nays 0.

The bill having received the requisite constitutional majority was passed.

# By Mr. Proctor-

A bill to authorize the county authorities of Camden county to pay the sheriff \$400.00 in addition to his regular-fees.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Stewart-

A bill to change the time for holding the superior courts in the counties of Decatur, Worth, Calhoun and Mitchell.

This bill was tabled.

By Mr. Duggan-

A bill to create a board of county commissioners for Randolph county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 30, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Miller and Deal-

A bill to provide for the establishment of a dispensary in the city of Statesboro.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Buchannon-

A bill to amend the Act creating the city court of Early county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 28, nays 0.

The bill having received the requisite constitutional majority was passed as amended:

Amend by adding after the words and figures "five hundred dollars (\$500)" in the twenty-third and twenty-fourth lines of section 2 of the bill the words "conditional for the performance of his duties as such solicitor, payable to the Governor of the State and his successors in office." The committee also amends by striking the word "to" in the twenty-fourth line of section 2 of the bill and substituting the words "and shall."

By Mr. Bell-

A bill to amend section 1378 of volume 1 of the Code relative to admission to the public schools.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 23, nays 0.

The bill having received the requisite constitutional majorty was passed as amended:

Amendments are amend by inserting in 11th line of section 1 of the bill after the word "shall" the words; also after the word "school" in said section the words "provided such children reside nearer such school or said school is more accessible to the residences of such children than any public school in the county of their residence"; also amend said section of said bill by inserting in 29th line after the word school the words "provided such children reside nearer such school or said school is more accessible to the residences of such children than any public school in the county of their residences."

By Mr. Rainey—

A bill to authorize the board of county commissioners of

Terrell county to pay reasonable compensation to the officers of said county for misdemeanor convicts.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite constitutional majority was passed as amended:

Amend section 3 by adding in line eleven of said section between the words "Dawson" and "shall" the words for services rendered in said count after the passage of this Act."

Also by adding in the fourteenth line of the second section between the words "annual" and "out" the words "in monthly payments."

#### By Mr. Tracy-

A bill to prohibit the sale of spirituous liquors in Webster county except as herein provided for.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 24, nays 0.

The bill having received the requisite constitutional majority was passed.

# By Mr. Owen--

A bill to amend the Act establishing the city court of Barnesville.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 25, nays 0.

The bill having received the requisite constitutional majority was passed.

#### By Mr. Reed—

A bill to pay off and retire bonds of the State as they mature.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 26, nays 0.

The bill having received the requisite constitutional majority was passed.

The following Senate bill was read second time:

#### By Mr. Duncan-

A bill to define and regulate the business of industrial life insurance.

# By Mr. Davis--

A bill to amend section 1908 of the Code providing by whom banks shall be managed.

This bill was recommitted.

# By Mr. Hopkins-

A bill to amend an Act establishing a system of public schools in the city of Thomasville.

This bill was recommitted.

On motion, when the Senate adjourns to-morrow it will stand adjourned until Monday morning at 11 o clock.

Senator Clements was granted leave of absence until Monday.

On motion, the Senate adjourned until to-morrow morning at 10 o'clock.

SENATE CHAMBER, ATLANTA, GEORGIA, Friday, July 31, 1903.

The Senate met pursuant to adjournment at 10 o'clock; was called to order by the President.

Prayer was offered by the Chaplain.

Upon motion the roll-call was dispensed with.

The Journal of yesterday was read and approved.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

#### Mr. President:

The House has passed by the requisite constitutional majority the following bills of the House, to wit:

A bill to amend section 453, volume 3 of the Code of 1895, and for other purposes.

The House has adopted the following joint resolution, and invites the concurrence of the Senate:

A resolution accepting the portrait of Ex-Governor James S. Boynton.

The House has also adopted by substitute the following resolution of the Senate:

A resolution to appoint a committee to report upon the charges of lobbying.

The House has concurred in the following resolution of the Senate, to wit:

A resolution providing for a joint session of the General Assembly on Friday, July 31, at 12 o'clock.

The House has passed by the requisite constitutional majority the following Senate bills:

A bill to amend section 2180 of the Code, and for other purposes.

Mr. Ledford, chairman of the Committee on Education, submitted the following report:

#### Mr. President:

The Committee on Education has had under consideration the following Senate bill which it instructs me to report with the recommendation that the same do pass:

A bill to amend an Act establishing a system of public schools in the city of Thomasville.

Respectfully submitted.

M. L. LEDFORD, Chairman.

Mr. Ledford, chairman pro tem. of the Committee on Engrossing, submitted the following report:

#### Mr. President:

The Committee on Engrossing has examined the followlowing bills, which are found to be correctly engrossed and ready for transmission to the House:

A bill to amend the charter of the city of Gainesville.

A bill to repeal section 233, volume 1 of the Code, and to provide that the year for reports of public officers shall be coincident with the fiscal year.

A bill to amend section 982, volume 1 of the Code, so that the Governor may appoint not more than two banks as State depositories in cities of 6,500 or more.

Respectfully submitted.

M. L. Ledford, Chairman pro tem.

Mr. Perry, chairman of the General Judiciary Committee, made the following report:

Mr. President:

The General Judiciary Committee has had under consideration the following bills of the Senate, which I am instructed to report back with the recommendation that they do pass:

A bill to provide for the appointment of probation officers, and to define their duties, and for other purposes.

A bill to cede to the United States jurisdiction over certain land in the city of Gainesville.

Also, that the following bill of the Senate be reported back with the recommendation that it be referred to the Special Judiciary Committee.

A bill to change the mode of remuneration of solicitorgenerals by paying them a stipulated salary.

Also, that the following bills of the House do pass:

A bill to abolish the "days of grace" recognized by custom in this State, and for other purposes.

Also, a bill to amend an Act entitled "an Act to make it unlawful for any person to employ or contract with, as tenant or cropper, any person under contract with another, and for other purposes."

Respectfully submitted.

H. H. PERRY, Chairman.

Mr. Tisinger, chairman of the Special Judiciary Committee, submitted the following report:

Mr. President:

The Special Judiciary Committee has had under consideration the following bill of the House, which I am instructed to report back with the recommendation that it do pass:

A bill to amend an Act to create the city court of Americus, and for other purposes.

Respectfully submitted.

B. L. TISINGER, Chairman.

Mr. Middlebrooks, chairman of the Committee on Corporations, submitted the following report:

Mr. President:

The Committee on Corporations has had under consideration the following House bill, which it instructs me to report with the recommendation that the same do pass as amended:

A bill to establish a new charter for the town of Lafay-ette, in Walker county.

The committee has also had under consideration the following Senate bill, which it instructs me to report with the recommendation that the author be allowed to withdraw it:

A bill to establish a new charter for the town of Lafayette in Walker county.

Respectfully submitted.

L. L. MIDDLEBROOKS, Chairman.

The following Senate resolution was taken up with House substitute, the substitute being concurred in:

By Mr. Skelton-

A resolution appointing a committee to investigate the charges of lobbying.

Mr. Skelton asked to be relieved from serving on the committee, and Senator Perry was appointed in his place.

The following House bill was read first time:

By Mr. Calvin-

A bill to amend section 453 of the Code, which relates to vagrancy

Referred to General Judiciary Committee.

The following Senate bill was withdrawn by its author.

By Mr. Lee—

A bill to establish a new charter for the town of Lafay ette, in Walker county

The following House bill was read third time to be put upon its passage:

By Mr. Buchannon-

A bill to amend the Act creating the city court of Early county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 25, nays 0; the bill having received the requisite constitutional majority was passed as amended.

Amend by adding at the end of section 2 the following: "and all indictments for misdemeanors found by the grand jury shall, by the solicitor-general of the Pataula circuit, be transferred to the city court for the county of Early, there to be tried as provided by law." Also amend by adding to section 1 the following: "Upon a demand for indictment by grand jury being made by any defendant, the judge of the city court, at his discretion, shall either allow said demand, in which event he shall bind the defendant under suitable bail for his appearance at next session of the superior court, to answer to the indictment of the grand jury; or he may disallow the demand, in which event the case shall not be for trial without the consent of the defendant until the quarterly session of said court next succeeding the expiration of (3) three months from the date of said demand, when he may, after the expiration of said three months, be tried without indictment, notwithstanding such demand."

The following House bill was read second time and recommitted to Appropriation Committee:

## By Mr Howard—

A bill to appropriate \$15,000 to the Georgia Sanitarium for certain improvements.

The following House bill was read second time:

# By Messrs. Lane and Hixon-

A bill to amend the Act creating the city court of Americus.

The following House resolution was read and adopted:

## By Mr. Flint—

A resolution that as a mark of esteem in which the esteemed Georgian is held that the portrait be accepted of Ex-Governor Jas. S. Boynton.

The following Senate bills and resolutions were readthird time to be put upon their passage:

## By Mr. Hopkins-

A bill to amend the Act establishing a system of publicschools in the city of Thomasville.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 25, nays 0; the bill having received the requisite constitutional majority was passed.

# By Mr. Williams-

A resolution for the relief of J. K. McAfee, J. R. Griceand W H. Raley, sureties on bond of Charlie Harris.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 23, nays 0; the resolution having received the requisite constitutional majority was passed.

The following House bills were read second time:

By Mr. Thurman-

A bill to establish a new charter of the town of Lafayette, in Walker county.

By Mr. George—

A bill to amend the Act making it unlawful to contract with a person already under contract with another.

By Mr. Calvin-

A bill to abolish the days of grace in this State.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

Mr. President:

The House has passed by the requisite constitutional majority the following bill of the House, to wit:

A bill to amend an Act to amend section 583 of the Code relative to alternative road law.

Mr. Christie, chairman of the Committee on Banks, submitted the following report:

Mr. President:

The Committee on Banks has had under consideration

the following Senate bill, which it instructs me to report back with the recommendation that it do pass:

A bill to amend section 1908, Vol. 1, which provides by whom banks shall be managed.

The committee has had under consideration the following House bill, which it instructs me to report back with the recommendation that it do pass:

A bill to amend the charter of the Savannah Trust Co.

Respectfully submitted.

S. R. CHRISTIE, Chairman.

The following Senate bill was read third time to be put upon its passage:

By Mr. Perry—

A bill to provide for probation officers in this State and define their powers.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 23, nays 0.

The bill having received the requisite constitutional majority was passed.

The following House bill was read third time to be put upon its passage:

By Mr. Dunbar-

A bill to amend the charter of the city of Augusta.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 23, nays 0.

The bill having received the requisite constitutional majority was passed.

The following House resolution was read second time and recommitted to the Appropriation Committee:

By Mr. Dunbar-

A resolution to appropriate \$50,000 to Department of Agriculture to make a display at the St. Louis exposition.

The following House bill was read first time:

By Messrs. Pate and Fields-

A bill to amend section 583 of the Code.

Referred to Agricultural Committee.

The following Senate bill was read third time to be put upon its passage:

By Mr. Park-

A bill to amend the Act establishing a dispensary in Hogansville.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 24, nays 0.

The bill having received the requisite constitutional majority was passed.

The following Senate bill was read first time:

# By Mr. Park-

A bill to provide for the sale of stocks, wares and merchandise in bulk, and for other purposes.

Referred to General Judiciary Committee.

The following Senate bill was read second time:

# By Mr. Perry-

A bill to cede jurisdiction to the United States of certainlands in Gainesville to erect a post-office.

The following House bills were read third time to beput upon their passage:

# By Mr. George-

A bill to empower the mayor and council of Madison to issue bonds to erect water-works.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 24, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Rogers and Thompson-

A bill to incorporate the town of Oakwood, in Hall county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 25, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Mayson and Candler—

A bill to provide for the registration of the qualified voters of Lithonia.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 23, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. West-

A bill to amend the Act incorporating the Merchants' Bank of Valdosta.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 24, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Alexander-

A bill to amend the Act establishing the city court of Washington, in Wilkes county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 24, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Newton-

A bill to incorporate the town of Kingwood, in Colquitt county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 23, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Mann and Strickland-

A bill to create a board of commissioners of roads and revenues for Tattnall county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 24, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Stovall—

A bill to provide a salary for each alderman of the city of Savannah.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 24, nays 0.

The bill having received the requisite constitutional majority was passed.

The following House bill was read second time:

By Mr. Cann-

A bill to amend the charter of the Savannah Trust Co.

The following Senate bill was introduced by consent and read first time:

By Mr. Hightower—

A bill to establish, maintain and regulate a dispensary in the town of Arlington.

Referred to Committee on Temperance.

The hour of 12 o'clock having arrived for the joint session of the House and Senate to hear the address of Hon. Walter B. Hill, Chancellor of the State University, the Senate repaired to the House of Representatives, and the joint session was called to order by the President. At the conclusion of the address the Senators returned to the Senate Chamber.

Upon request of Senator Perry he was excused from service upon the investigating committee to investigate charges of lobbying under joint resolution of General Assembly, and Senator Hopkins was appointed in his place.

Upon motion, the Senate then adjourned to meet at 11 o'clock a.m. Monday next.

SENATE CHAMBER, ATLANTA, GEORGIA,
Monday, August 3, 1903.

The Senate met pursuant to adjournment at 11 o'clock; was called to order by the President.

Prayer was offered by the Chaplain.

Upon motion, the roll-call was dispensed with.

The Journal of Friday was read and approved.

The following message was received from His Excellency, the Governor, through his Secretary, Mr. Blackburn:

### Mr. President:

I am directed by His Excellency, the Governor, to deliver to the Senate a sealed communication, to which he respectfully invites the consideration of your honorable body in executive session.

Mr. Ledford, chairman pro tem, of the Committee on Engrossing, submitted the following report:

#### Mr. President:

The Committee on Engrossing has examined the following bills and resolution, which it finds correctly engrossed and ready for transmission to the House:

A bill to amend Act establishing a Dispensary at Hogansville, Ga.

A bill to amend Act establishing a system of public schools for Thomasville, Ga.

A bill to provide for the appointment of probation officers.

A resolution for the relief of J. K. McAfee, J. R. Grice and W. H. Raley, sureties on the bond of Charlie Harris.

Respectfully submitted.

M. L. LEDFORD, Chairman pro tem.

Mr. Symons, chairman of the Enrollment Committee, submitted the following report:

## Mr. President:

The Committee on Enrollment report as duly enrolled and ready for the signatures of the President of the Senate and Speaker of the House the following Acts, to wit:

An Act to amend section 2180 of volume 2 of the Code of 1895, which provides for the incorporation, control and management of suburban and street railway companies.

Respectfully submitted.

W F Symons, Chairman.

Mr. Jordan, chairman of the Committee on Agriculture, submitted the following report:

## Mr. President:

The Committee on Agriculture has had under consideration the following House bill, which it instructs me to report with the recommendation that the same do pass as amended.

A bill to provide for the removal of obstructions from the streams of Morgan county.

Respectfully submitted.

C. H. Jordan, Chairman.

Mr. Middlebrooks, chairman of the Committee on Corporations, submitted the following report:

Mr. President:

The Committee on Corporations has had under consideration the following House bill, which it instructs me to report with the recommendation that the same do pass.

A bill to establish a new charter for the town of Byron, Houston county.

Respectfully submitted.

L. L. MIDDLEBROOKS, Chairman.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

Mr. President:

The House has passed by the requisite constitutional majority the following bills of the Senate, to wit:

By Mr. Howell-

A bill to amend the charter of the city of Atlanta.

By Mr. Taylor of the 42d-

A bill to incorporate the town of Menlo.

By Mr. Tisinger-

A bill to change the time of holding court in Upson county.

By Mr. Lee of the 44th district-

A bill to incorporate the Kensington school district.

Also, the following bill passed as amended:

A bill to establish a system of public schools in Pierce county

The House has also adopted the following joint resolution and invites the concurrence of the Senate:

A resolution requesting the Governor to return House bill No. 455.

The House has also adopted the following resolution and invites the concurrence of the Senate:

A resolution authorizing the joint committee appointed under resolution No. 357 to employ a stenographer.

Mr. Symons, chairman of the Enrollment Committee, submitted the following report:

Mr. President.

The Committee on Enrollment report as duly enrolled, signed by the President of the Senate and Speaker of the House the following Act, to wit:

An Act to amend section 2180 of volume 2 of the Code of 1895, which provides for the incorporation, control and annangement of suburban and street railway companies.

Respectfully submitted.

W F Symons, Chairman.

Leaves of absence were granted Senators McClure and Allen.

Mr. Harrell asked to be relieved from serving on the committee to investigate charges of lobbying on account of the short time allowed to make said investigation. At the request of the chair the Senator withdrew his request.

The following House bills and resolutions were read second time and recommitted: By Mr. Booth—

A resolution for the relief of S. S. Duke from taxes 1898 and 1899.

By Mr. Calvin—

A bill for the protection of birds and their nests in this State.

By Mr. Tigner—

A bill to fix the number of days each person shall be subject to road duty.

The following Senate bills were read third time to be put upon their passage:

By Mr. Perry—

A bill to cede to the U. S. certain lands in the city of Gainesville to erect a post-office.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0

The bill having received the requisite constitutional majority was passed.

By Mr. Davis-

A bill to amend section 1908 of the Code, which provides who shall manage banks.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 26, nays 0.

The bill having received the requisite constitutional majority was passed.

The following House bills were read third time and put upon their passage:

By Messrs. Lane and Hixon-

A bill to amend the Act creating the city court of Americus.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Thurman-

A bill to establish a new charter for the town of Lafayette, in Walker county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite constitutional majority was passed as amended, and amendments are as follows:

Amend section 34 of said bill by striking out the words "telegraph, telephone" in seventh line of said section; and further amend said section by striking out the words "convenient or" in the twelfth line of said section; and further amend section by striking out the word "use" in the thirteenth line of said section and insert instead thereof the word "welfare"; also, further amend said section by striking out the word "any," which is the seventh word from the end

of said section, and inserting instead the words "the above described," so that said section, when amended, shall read:

Sec. 34. Be it further enacted, That the mayor and coun. cil shall have the power and authority to contract debts and issue bonds of said city under and in accordance with limitations provided in the Constitution of this State and the general laws applicable to municipalities, and with the funds arising from the sale of any bonds thus issued may refund any existing debt, establish and maintain a system of water works, gas-works, a system of electric lights and a street railroad system, or they may grant franchises to any person or persons, firm or corporation, to purchase, acquire, erect, own or operate, manage and control waterworks, gas-works, electric lights, telephone, telegraph or street railroad systems. They shall also have authority to erect public buildings or any improvements necessary for the welfare of the citizens of said town, and to create a debt and issue bonds of said city for the above described purposes under the limitations herein provided.

By Mr. Cann-

A bill to amend the charter of the Savannah Trust and Safe Deposit Company.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 26, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. George-

A bill to provide for the removal of obstructions in the streams of Morgan county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 26, nays 0.

The bill having received the requisite constitutional majority was passed as amended.

Amendments are as follows:

Amend by striking the words "1903" in the second line of section 1 and substituting therefor the words "1904"; amend further by striking all of sections 2 and 3 and substituting therefor the following:

Section 2. Be it further enacted by the authority aforesaid, That should any landowner in said county fail or refuse to move the obstructions as provided in section 1 hereof by the first day of September of each year, from streams running through his lands or from his half of streams dividing his lands from lands of another, then, and in that event, the county commissioners, of their own motion or at the instance of any citizen of the county, shall cause said obstructions to be moved in accordance with the provisions of section 1 hereof, under the direction of one of their number or of the sheriff, deputy sheriff or any lawful constable or road overseer of said county, all expenses and costs to be taxed against the defaulting landowner. Said county commissioners are hereby empowered, after said obstructions have been removed and the expenses therefor ascertained, to issue a fi. fa. for said costs and expenses against said defaulting landowner, which f. fa. may be enforced as tax fi. fas., and shall be a lien upon all the property of the defaulting landowner superior to all other liens except liens for taxes.

The following joint resolution was read and concurred in:

## By Mr. Howard—

A resolution to appoint a stenographer for the joint committee to investigate lobbying.

The following Senate bill was read first time:

By Mr. Comas—

A bill to amend the Act establishing the city court of Baxley in Appling county.

Referred to the Special Judiciary Committee.

House amendments to the following bill of the Senate were concurred in:

By Mr. Comas—

A bill to establish a system of public schools for Pierce county.

The following House bill was read second time and recommitted:

By Messrs. Pate and Fields-

A bill to amend section 583 of the Code relative to the alternative road law.

The following House bill was read third time to be put upon its passage:

By Mr. Calvin-

A bill to abolish "the days of grace" in this State.

Report of the committee was agreed to.

Upon the passage of the bill the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.—

Atkinson, Hopkins, Perry. Christie, Jordan. Smith, Snead, Clements, Lee. Comas. Ledford, Sweat. Lewis. Davis. Symons, Golden, McLean, Worsham, Middlebrooks. Mr. President. Harrell,

Hightower, Park,

Those voting in the negative were Messrs.—

Dodd, Duncan of 10th, Merritt,

Those not voting were Messrs.—

Allen, McClure, Stevens, McMichael, Clark, Taylor, Crumbley, Moore, Tisinger, Duncan of 36th. Reid, Turner, Hudson, Roberts, Van Buren, Mathews, Skelton, Williams,

Ayes 23, nays 3.

The bill having received the requisite constitutional majority was passed.

The following House resolution was read and concurred in:

By Mr. Blackburn of Fulton-

A resolution requesting the Governor to return House bill No. 455 to the House.

The following Senate bill was read second time and recommitted:

By Mr. Park—

A bill to regulate the sale of stocks of goods, wares or merchandise in this State.

The following Senate bill was read third time to be putupon its passage:

## By Mr. Sweat-

A bill to provide for the closing of private ways in this-State.

On motion this bill was tabled.

The following message was received from his Excellency,. the Governor, through his Secretary, Mr. Blackburn:

### Mr. President:

His Excellency, the Governor, has approved and signed the following Acts, to wit:

An Act to prohibit the manufacture of distilled spirits in Hart county.

An Act to amend the charter of the city of Douglas.

An Act to authorize the issue of bonds by the county of Pierce, to aid in building and equipping schoolhouses.

The following House bill was read third time to be putupon its passage:

# By Mr. George-

A bill to amend the Act making it unlawful to contract with a person after having contracted with another.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 24, nays 0-

The bill having received the requisite constitutional majority, was passed.

The following House bill was read second time:

By Mr. Richardson-

A bill to establish a new charter for the town of Byron.

The following Senate resolution was read first time:

By Mr. Perry-

A resolution to pay pension of J. S. Brazile in Hall county.

Referred to the Finance Committee.

The following Senate bill was read third time:

By Mr. Duncan—

A bill to define and regulate the business of industrial life insurance.

On motion, this bill was tabled.

Senator Middlebrooks was granted leave of absence for Wednesday.

At 12:15 the Senate went into executive session.

On motion, the Senate adjourned until to-morrow morning at 10 o'clock.

SENATE CHAMBER, ATLANTA, GEORGIA, Tuesday, August 4, 1903.

The Senate met pursuant to adjournment at 10 o'clock; was called to order by the President.

Prayer was offered by the Chaplain.

On motion, the roll-call was dispensed with.

The Journal of yesterday was read and approved.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

### Mr. President:

The House has passed by the requisite constitutional majority the following bills of the House, to wit:

A bill to incorporate the Smyrna school district.

A bill to revise and consolidate the game laws of this State.

A bill for relief of J. W Wilcox.

A bill to amend the charter of the city of Augusta.

A bill to provide for a solicitor for county court of Oconee county.

A bill to amend section 982, volume 1 of the Code of 1895.

A bill to incorporate the Oak Grove school district in Dooly county.

A bill to amend Act to establish a system of public schools in the town of Lawrenceville. The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

### Mr. President:

The House has passed by the requisite constitutional majority the following bills of the House, to wit:

A bill to create a uniform system of text-books, and for other purposes.

A bill to incorporate Concord school district.

A bill to create city court of Brunswick.

A bill to give entire charge of roads to board of commissioners Camden county.

A bill to incorporate the town of Barwick.

A bill to provide manner of fishing in Flint river.

A bill to amend charter of Warrenton.

A bill to incorporate town of Sand Hill.

A bill to establish a board of commissioners for Bibb county.

A bill to amend the Act to incorporate the town of Kite.

A bill to amend Act to incorporate N. E. Ga. Loan and Banking Co.

A bill to amend Act granting license in Telfair county.

Mr. Hudson asked unanimous consent to take up House bills Nos. 491, 534, 551 and put them on their passage.

Mr. Perry moved to table the bills, which motion was lost.

The following are the bills:

By Mr. Rainey-

A bill to incorporate the Sasser school district in Terrell' county

Report of the committee was agreed to.

Mr. McMichael moved to recommend this bill to the Constitutional Amendments Committee, and confer with the Attorney-General and school commissioner. This motion was carried.

The following resolution was read first time:

By Mr. Smith--

A resolution authorizing the Commissioner of Agriculture tohave the walls of his office repaired.

Referred to the Appropriation Committee.

By unanimous consent the following Senate bill was read second time and recommitted:

By Mr. Comas—

A bill to amend the Act establishing the city court of Baxley in Appling county.

The following Senate bills were read first time:

By Mr. Comas-

A bill to require railroad companies to equip flat cars to carry lumber.

Referred to the Special Judiciary Committee.

By Mr. Tisinger-

A bill to provide for the use of the application and evidence

thereto attached on file in the office of pension commissioner as competent testimony in certain cases.

Referred to the Pension Committee.

Mr. Perry, chairman of the Committee on Constitutional Amendments, made the following report:

#### Mr. President:

The Committee on Constitutional Amendments has had under consideration the following bill of the House, which I am instructed to report back with the recommendation that it do not pass.

A bill to incorporate the Leonard school district, in Cobb county, and for other purposes.

H. H. PERRY, Chairman.

Mr. Perry, chairman of the General Judiciary Committee, made the following report:

#### Mr. President:

The General Judiciary Committee has had under consideration the following bill of the Senate, which I am instructed to report back, with the recommendation that it do pass.

A bill to regulate the sale of stocks of goods, wares and merchandise in bulk, and for other purposes.

Also, that the following bill of the Senate do pass as amended:

A bill to prohibit railroad, express, telegraph or telephone companies issuing passes or franks, and for other purposes.

Also, that the following bill of the Senate do pass by substitute as amended:

A bill to prohibit the sale of cotton futures in this State, and for other purposes.

Also, that the following bill of the House do pass as amended:

A bill to protect fish in the county of Hall.

H. H. RERRY, Chairman.

Mr. Duncan, chairman of the Committee on Engrossing, submitted the following report:

Mr. President:

The Committee on Engrossing has examined the following bills, which are found to be correctly engrossed and ready for transmission to the House, to wit:

A bill to amend section 1908, volume 2 of the Code of 1895, which provides by whom banks shall be managed.

A bill to cede jurisdiction to the United States over certain land in Gainesville.

Respectfully submitted.

A. B. DUNCAN, Chairman.

Mr. Symons, chairman of the Committee on Enrollment, submitted the following report:

 $Mr.\ President$  .

The Committee on Enrollment report as duly enrolled, signed by the President of the Senate and Speaker of the House, and delivered to the Governor, the following Acts, to wit:

An Act to amend an Act establishing a new charter for the city of Atlanta, approved February 28, 1874.

An Act to change the time of holding the fall term of the Upson superior court.

Respectfully submitted.

W F. Symons, Chairman.

Mr. Symons, chairman of the Committee on Enrollment, submitted the following report:

#### Mr. President:

The Committee on Eurollment report as duly enrolled and ready for the signatures of the President of the Senate and Speaker of the House the following Acts, to wit:

An Act to amend an Act establishing a new charter for the city of Atlanta, approved February 28, 1874.

An Act to change the time of holding the fall term of Upson superior court.

Respectfully submitted.

W F Symons, Chairman.

#### Mr. President:

The Committee on State Sanitarium desire to submit the following report:

We arrived at the institution on the night of July 9 and remained there until the morning of the 13th. Subcommittees were appointed to visit all of the different departments, and careful investigation was made as to the management and condition of each.

We find the buildings in perfect order, except the large new buildings, the wings of which are incomplete as to the interior. The completed part is capable of receiving 1100 inmates, and the wings, when finished, can receive 300. The machinery necessary for the various plants is quite varied and extensive. It appears in perfect condition, and its appearance and effectiveness reflect credit upon the ability and zeal of Mr. T. H. De-Saussure, the engineer in charge.

The sanitary conditions in the various buildings seem perfect, and the extreme cleanliness, which everywhere prevails, commands our unqualified admiration.

We examined the stock and dairy and find the cattle and hogs well cared for and everything in excellent condition.

The colony farm was visited, and what we observed afforded us great satisfaction. We believe that the general health of the patients, both mental and physical, improves more rapidly there with moderate exercise than anywhere else at the Sanitarium. The work is supervi-ed by skilled attendants and nurses, and the same medical attention is given as to the Sanitarium proper. We believe if this feature receives the necessary encouragement from the State, by providing accommodations for two or three hundred of the convalescents, it will be entirely self-sustaining in a few years.

Regarding the financial management of the institution, we can add nothing to the report submitted during the session of 1902. We then said: "The wonderful exhibit made in the management of its financial affairs is such as to be a subject almost of amazement. The systematic method in which all accounts are kept is as near perfection as could be desired, and the care exercised in making purchases is such as to elicit our unqualified approval and commendation."

This we reaffirm, and could we add anything more commendatory we would gladly do so.

The Board of Trustees, in the report rendered to Governor Candler on September 18th, 1902, estimated that an appropriation of \$340,000 for 1903 would enable them to care for 3,100 inmates, basing these figures upon an annual per capita cost of \$109.68. The Legislature appropriated \$325,000, from which it was specified should be paid the salary of the Superintendent and the salaries and expenses of the trustees, these being items which had hitherto, for many years, been provided for in another appropriation.

From the report submitted to Governor Terrell, on May 28th of this year, we learn that the number of patients then in the institution was 2,716, and that as soon as the new buildings were furnished and equipped with the present appropriation, only 265 additional patients could be cared for. On July 11th we find that the number had increased to 2,822, but in order that some of these might be received, in many rooms it has been necessary to place two patients. This is a very undesirable proceeding, and it is hoped that the new buildings can soon be occupied and the patients furnished with the proper accommodations.

With the new quarters equipped, however, while there will be ample room for all applicants (and there are now on file 470 applications), yet with the present appropriation for maintenance only 159 more could be received.

What disposition shall we make of the other 311 unfortunates whose early admission may, in many instances, be the means of restoring reason, while delay and failure to receive proper treatment can only tend to hopeless insanity? This is a condition which we, as the State's representatives, have to meet, and your committee can only hope that it will be dealt with in that broad and liberal spirit which marks true statesmanship. If every member of the Legislature could visit this grand institution, we feel confident that the result would be almost perfect unanimity in granting everything asked for by those who now have it in charge.

Trusting that this important matter will receive early consideration, and that all deliberations will be governed by that wisdom which seeks to know the truth and that moderation which frowns down all extreme theories and vagaries, we are satisfied that justice, to the most unfortunate of all our citizens, will cause provision to be made for every applicant for admission to the Sapitarium.

Respectfully submitted.

J. R. VAN BUREN, Chairman.

The following House bills were read first time:

By Messrs. Steed and Hixon-

A bill to incorporate the town of Sand Hill in Carroll county.

Referred to the Corporation Committee.

By Mr. West—

A bill to create a State school-book commission.

Referred to the Educational Committee.

By Mr. Proctor—

A bill to give to the commissioners of roads and revenues of Camden county entire control of the roads of said county.

Referred to the Agricultural Committee.

By Messrs. Kilburn, Felder and Hall-

A bill to establish a county board of commissioners for the county of Bibb.

Referred to the Special Judiciary Committee.

By Mr. Butts-

A bill to amend the Act establishing the city court of Brunswick.

Referred to the Special Judiciary Committee.

By Mr. Shackelford-

A bill to amend the Act incorporating the Northeast Georgia Loan and Banking Company.

Referred to the Banks Committee.

By Mr. Kent-

A bill to amend the Act incorporating the town of Kite.

Referred to the Corporation Committee.

By Mr. Owen-

A bill to incorporate the Concord school district in Pike county.

Referred to the Educational Committee.

By Mr. Wise—

A bill to provide the manner of fishing in Flint river and all the streams in Fayette county.

Referred to the Agricultural Committee.

By Mr. Rountree-

A bill to incorporate the town of Bostwick, in the counties of Thomas and Brooks.

Referred to the Corporation Committee.

By Mr. English-

A bill to amend the charter of Warrenton in Warren county.

Referred to the Corporation Committee.

By Mr. Cook-

A bill to amend the Act to prescribe the mole of granting license to sell intoxicating liquors in Telfair county

Referred to the Temperance Committee.

By Mr. Flanigan-

A bill to amend the Act establishing the system of public schools in Lawrenceville.

Referred to the Educational Committee.

By Mr. Harden-

A bill to consolidate the laws of this State relative to game and fish.

Referred to the General Judiciary Committee.

By Mr. Fields-

A bill to incorporate the Oak Grove school district in Dooly county.

Referred to the Constitutional Amendments Committee.

By Mr. Rankin-

A bill to amend section 982 of the Code so as to add the town of Calhoun in Gorden county to the list of State depositories.

Referred to the Committee on Banks.

By Mr. Foster-

A bill to amend section 3 of the Act providing for a solicitor of the county court of Oconee county to fix his fees.

Referred to the Special Judiciary Committee.

By Mr. Felder—

A bill for the relief of J. W Wilcox.

Referred to the Special Judiciary Committee.

By Mr. Morris-

A bill to incorporate the Smyrna school district in Cobb county.

Referred to the Constitutional Amendments Committee.

By Mr. Dunbar-

A bill to amend the charter of the city of Augusta, providing for the pensioning of retired members of the police and fire departments.

Referred to the Corporation Committee.

The following House bill was read third time to be put upon its passage:

By Mr. Richardson-

A bill to establish a new charter for the town  $\subseteq$  Byron.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite constitutional majority was passed.

Senate bill No. 173 was transferred from the Special Judiciary Committee to the General Judiciary Committee.

The following House bill was read second time:

By Mr. Thompson-

A bill to prohibit the trapping or gigging fish in the county of Hall.

Senate bill No. 146 was made special order for to-morrow morning immediately after the reading of the Journal.

At 11:40 the Senate went into executive session.

Mr. Turner, vice-chairman of the Committee on Appropriations, made the following report:

#### Mr. President:

The Committee on Appropriations has had under consideration the following bill of the House, which I am instructed to report back with the recommendation that it do pass:

A bill to appropriate the sum of fifteen thousand dollars for the Georgia State Sanitarium.

Also that the following House resolutions do pass by substitute:

A resolution to appropriate the sum of fifty thousand dollars to the Department of Agriculture for an exhibit at the Louisiana Purchase Exposition.

PAUL TURNER, Vice-Chairman.

The following bill of the House was read third time to beput upon its passage:

## By Mr. Howard—

A bill to appropriate fifteen thousand dollars to the State-Sanitarium.

Report of the committee was agreed to.

This being an appropriation the ayes and nays were ordereds and the vote was as follows:

Those voting in the affirmative were Messrs.—

Atkinson. Hudson. Skelton, Christie. Jordan, Smith, Clark, Ledford. Snead, Clements. Lewis. Sweat, Comas. Mathews, Symons, Crumbley, McLean, Taylor, Dodd, Merritt, Tisinger, Duncan of 10th, Moore, Turner, Duncan of 36th, Park, Van Buren, Golden, Reid, Worsham, Hightower, Roberts,

Those not voting were Messrs.—

Allen, Lee, Perry,
Davis, McClure, Stevens,
Harrell, McMichael, Williams,
Hopkins, Middlebrooks, Mr. President,

Ayes 32, nays 0.

The bill having received the requisite constitutional majority was passed.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

### Mr. President:

The House has passed by the requisite constitutional majority the following bill of the House, to wit:

A bill to amend the charter of the city of Macon.

The resolution to appropriate fifty thousand dollars to provide for an exhibit of the State of Georgia at the St. Louis Exposition was made the second special order for to-morrrow.

Senate bill No. 192 was made the third special order for tomorrow. The following Senate bills were read second time and recommitted:

By Mr. Hightower-

A bill to establish and maintain a dispensary at Arlington.

By Mr. Hudson-

A bill to amend section 4868 of the Code.

Leaves of absence were granted Senators Jordan and Williams.

On motion, the Senate adjourned until to-morrow morning at 10 o'clock.

SENATE CHAMBER, ATLANTA, GEORGIA, Wednesday, August 5, 1903.

The Senate met pursuant to adjourment at 10 o'clock; was called to order by the President.

Prayer was offered by the Chaplain.

On motion, the roll-call was dispensed with.

The Journal of yesterday was read and approved.

Mr. Davis, chairman of the Committee on Finance, submitted the following report:

#### Mr. President:

The Committee on Finance has had under consideration the following Senate resolution, which they instruct me to report with the recommendation that the same do pass: A resolution to pay pension of J. S. Brazile, of Hall county, to his widow.

The committee has also had under consideration the following House resolution, which it instructs me to report with the recommendation that it do pass:

A resolution for the relief of G. S. Duke from taxes for 1898 and 1899, as a manufacturer of whiskey, etc.

Respectfully submitted.

WM. H. Davis, Chairman.

Mr. Hudson, chairman pro tem. of the Committee on Agriculture, submitted the following report:

#### Mr. President:

The Committee on Agriculture has had under consideration the following House bill, which it instructs me to report with the recommendation that the same do pass.

A bill to give to the commissioners of roads and revenues of the county of Camden entire charge of the roads of said county.

Respectfully submitted.

T. G. Hudson, Chairman pro tem.

Mr. Tisinger, chairman of the Committee on Special Judiciary submitted the following report:

#### Mr. President:

The Committee on Special Judiciary has had under consideration the following bill of the Senate, which it instructs me to report back with the recommendation that the same do pass:

A bill to amend the several Acts establishing the city court of Baxley, in Appling county.

Respectfully submitted.

B. L. TISINGER, Chairman.

By unanimous consent the following Senate bill was read third time to be put upon its passage:

By Mr. Comas—

A bill to amend the Act establishing the city court of Baxley, in Appling county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 26, nays 0.

The bill having received the requisite constitutional majority was passed.

This bill was ordered immediately transmitted to the House.

## REPORT OF THE COMMITTEE ON ACADEMY FOR THE BLIND.

The Committee on Academy for the Blind submit the following report:

On the 22d inst. we visited this institution, met some of the members of the Board of Trustees, and conducted such investigations as conditions demanded.

The only matter of interest which it was necessary to consider was the advisability of disposing of the present location and acquiring another more suitable for the welfare, development and safety of the pupils.

After examining the buildings and grounds, we are of the opinion that it would be wise to acquire another site for

the institution. We believe that the present property could be sold for a sufficient sum to not only purchase the land, but to erect such buildings as should be provided for those who are afflicted with loss of sight.

In case of fire, the present buildings would prove a veritable death-trap, and the loss of life which would necessarily result would be shocking to contemplate. More space is needed for exercise and recreation of the pupils, and the buildings should be of such a character as to reduce the danger hazard to the minimum.

In the opinion of your committee, it would be wise to make such disposition of the present property as would secure a more eligible situation, and on which could be erected such buildings as would be adapted to the character of the inmates.

Respectfully submitted.

W A. Worsham, Chairman.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

#### Mr. President:

The house has passed by the requisite constitutional majority the following bills of the House, to wit:

A bill to abolish trials for insanity, and for other purposes.

Also, a bill to prohibit the sale of vinous, spirituous. mait and intoxicating liquors in and for the county of Irwin, and for other purposes.

Also, a bill to amend section 982, volume 1 of the Code of 1895, and for other purposes.

Also, a bill to incorporate the town of Metter in Bulloch county

Also, a bill to prescribe the qualifications of jurors in courts of this State, and for other purposes.

Also, a bill to amend section 221, volume 3 of the Code, and for other purposes.

Also, a bill to establish the city court of Dublin, and for other purposes.

The House has passed the following resolutions of the House, to wit:

A resolution to pay E. R. Black certain compensation.

A resolution to consent on part of the State that the Atlanta and Birmingham Air Line Railway make all underpass crossing under tracks of the W & A. R. R., in Cobb county

A resolution authorizing the Treasurer to transfer any surplus funds from any class of pensioners to another class when the amount appropriated is insufficient.

The following special order was taken up.

## By Mr. Mathews-

A bill to amend paragraph 1, section 1, and paragraph 5, section 2 and add a new paragraph to article 6, section 2, to be known as paragraph 9 of the Constitution.

Report of the committee was agreed to.

This being a constitutional amendment the ayes and nays were ordered, and the vote is as follows:

Those voting in the affirmative were Messrs.—

Allen, Clark, Comas, Atkinson, Clements, Crumbley,

Dodd.	McClure.	Skelton.
Davis,	McLean,	Smith,
Duncan of 36th,	McMichael,	Snead,
Golden,	Merritt,	Sweat,
Harrell,	Moore,	Symons,
Hopkins,	Park,	Taylor,
Hudson,	Perry,	Tisinger,
Ledford,	Reid,	Van Buren,
Lewis,	Roberts,	Worsham,
Mathews		

Mathews,

Those voting in the negative were Messrs.—

Christie,

Those not voting were Messrs.—

Duncan of 10th,	Lee.	Turner,
Hightower,	Middlebrooks,	Williams.
Jordan,	Stevens,	Mr. President,

Ayes 34, nays 1.

The bill having received the requisite constitutional majority was passed, and the bill is as follows:

#### A BILL

To be entitled an Act to amend paragraph 1, section 1, and paragraph 5, section 2, and to add a new paragraph to article 6, section 2, to be known as paragraph 9 of the Constitution of this State, so as to provide for the establishment of a court of appeals, to define its powers and jurisdiction, and to limit the jurisdiction of the Supreme Court.

Section 1. Be it enacted by the General Assembly of the State of Georgia, and it is hereby enacted by authority of the same, That paragraph 1, section 1, of article 6 of the Constitution of this State be amended so that the same shall read as follows: "The judicial powers of this State shall be vested in a Supreme Court, a court of appeals.

superior courts, courts of ordinary, justices of the peace, commissioned notaries public, and such other courts as have been or may be established by law."

SEC. 2. Be it further enacted by the authority aforesaid, That paragraph 5, section 2, article 6 of the Constitution of this State be amended so that the said paragraph shall read as follows, to wit: "The Supreme Court shall have no original jurisdiction, but shall be a court alone for the trial and correction of errors from the superior courts and from the city courts of Atlanta and Savannah, and such other like courts as have been or may hereafter be established in other cities, in all cases of felony, and in all civil cases where the amount involved in money or the value of property in controversy exceeds one thousand dollars principal, and in cases respecting title to land, cases involving title to a public office, habeas corpus cases, contempt cases, or cases where an Act of the General Assembly of the State of Georgia is sought to be set aside as being contrary to the Constitution of the State of Georgia or of the United States, and a decision upon this constitutional question is made necessary, and for the correction of errors of law from the court of appeals, when established, whenever the Supreme · Court shall sanction a certiorari from any judgment rendered by the court of appeals, or whenever the court of appeals shall certify to the Supreme Court any questions or propositions of law concerning which it desires the instruction of the Supreme Court for proper decision. The Supreme Court shall sit at the seat of government at such times in each year as shall be prescribed by law, for the trial and determination of writs of error from said superior and city courts, and of all cases, questions and propositions that may be brought or submitted to the Supreme Court from the court of appeals. The foregoing provisions shall not apply to any case carried to the Supreme Court before the establishment of said court of appeals, except that the Supreme Court shall, without further legislation, transfer to the court of appeals, when established, all cases which by the terms of this paragraph are not within the jurisdiction of said Supreme Court, in which event the court of appeals shall try all of said cases so transferred."

SEC. 3. Be it further enacted by the authority aforesaid, That the Constitution of this State be amended by adding a new paragraph to be known as paragraph 9 of section 2 of article 6, which shall read as follows: "The court of appeals shall consist of a presiding judge and four associate A majority of the court shall constitute a quorum and said court shall sit at the seat of government at such times in each year as shall be prescribed by law. When one or more of the judges are disqualified from deciding any case by interest or otherwise, the Governor shall designate a judge or judges of the superior courts to preside in said case. The presiding judge and the four associate judges of said court shall be appointed by the Governor by and with the advice and consent of the Senate, and the term of office of the judges so appointed shall expire on the first day of January, 1907, and at the general election to be held on the first Wednesday in October, 1906, the presiding judge and the four associate judges of said court of appeals shall be elected by the people for the terms beginning on the first day of January, 1907, at the same time and in the same manner as the Governor and the State House Officers are elected; at which election the presiding judge shall be elected for a full term of six years, and four associate judges shall be elected as follows: Two of said associate judges shall be elected for a term of four years and two of said associate judges shall be elected for a term of two years. After said first election all terms except unexpired terms shall be for six years each. In case of any vacancy which causes an unexpired term the same shall be filled by executive appointment, and the person appointed by the Governor shall hold his office until the next regular election and until his successor for the balance of the unexpired term shall have been elected and qualified. The salaries of the judges of said court of appeals shall be fixed by the legislature at not less than three thousand dollars per annum for each judge, payable out of the treasury of the

State. The court of appeals shall have jurisdiction for the trial and correction of errors from the superior courts and from the city courts of Atlanta and Savannah and such other like courts as have been or may hereafter be established in other cities, in all cases in which jurisdiction is not conferred by this Constitution upon the Supreme Court. When a judgment of the court of appeals is taken to the Supreme Court of this State for review the former court shall await the judgment of the latter before certifying the final result to the trial court. The General Assembly shall prescribe the officers for said court of appeals and the amount of compensation, and shall also prescribe in what manner cases shall be taken from the superior and city courts to the court of appeals and in what manner cases shall be taken or certified from the court of appeals to the Supreme Court."

SEC. 4. Be it further enacted by the authority aforesaid, That whenever the above proposed amendments to the Constitution shall be agreed to by two-thirds of the members elected to each of the two Houses of the General Assembly, the Governor shall, and he is hereby authorized and instructed, to cause said amendments to be published in at least two newspapers in each Congressional District of this State for the period of two months next preceding the time for holding the next general election.

SEC. 5. Be it further enacted by the authority aforesaid, That the above proposed amendments shall be submitted for ratification or rejection of the electors of this State at the next general election to be held after publication, as provided for in the fourth section of this Act, in the several districts of this State; at which election every person shall be qualified to vote who is entitled to vote for members of the General Assembly All persons voting at said election in favor of adopting the proposed amendments, or either of them, to the Constitution of this State, shall have written or printed or their ballots the words: "For ratification of the amendment of paragraph 1, section 1, article 6 of

the Constitution" (for establishment of a court of appeals); "For ratification of amendment of paragraph 5 of section 2 of article 6 of the Constitution" (for limitation of writs of error to the Supreme Court); "For ratification of amendment by adding paragraph 9 to section 2, article 6 of the Constitution" (for judges and jurisdiction of court of appeals). And all persons opposed to the adoption of said amendments, or either of them, shall have written or printed on their ballots the words: "Against ratification of the amendment of paragraph 1, section 1, article 6 of the Constitution" (against establishment of a court of appeals); "Against ratification of amendment of paragraph 5 of section 2 of article 6 of the Constitution" (against limitation of writs of error to the Supreme Court); "Against ratification of amendment by adding paragraph 9 to section 2, article 6 of the Constitution" (against judges and jurisdiction of court of appeals).

SEC. 6. Be it further enacted by the authority aforesaid, That the Governor be, and he is, hereby authorized and directed to provide for the submission of the foregoing proposed amendments to the Constitution of this State to a vote of the people as required by the Constitution of this State in paragraph 1 of section 1 of article 13, and by this Act; and if either be ratified, the Governor shall, when he ascertains such ratification from the Secretary of State, to whom the returns shall be referred in the same manner as in case of elections for members of the General Assembly, to count and ascertain the result, issue his proclamation, for one insertion, in one of the daily papers of this State, announcing such result and declaring the amendment or amendments ratified.

SEC. 7 Be it further enacted by the authority aforesaid, That all laws and parts of laws in conflict with this Act be, and the same are, hereby repealed.

The next special order was taken up which is a resolution

By Mr. Dunbar—

A resolution to appropriate \$50,000 to the Agricultural Department to make a display at the St. Louis Exposition.

Mr. Tisinger moved to disagree to the report of the committee. The previous question was called, and ordered. The question was put as to whether the report of the committee would be agreed to or not, the vote was as follows:

Those voting in the affirmative were Messrs.—

Atkinson, Hudson, Snead, Christie, Mathews, Stevens, Clark. McLean, Sweat, Comas. Moore. Symons, Crumbley, Park, Taylor, Davis, Perry, Turner, Duncan of 10th, Reid, Van Buren, Hopkins, Smith. Worsham,

Those voting in the negative were Messrs.—

Allen, Ledford, Merritt,
Clements, Lewis, Roberts,
Dodd, McClure, Skelton,
Duncan of 36th, McMichael, Tisinger,
Harrell,

Those not voting were Messrs.—

Golden, Lee. Williams,
Hightower, Middlebrooks, Mr. President,
Jordan.

Ayes 24, nays 13.

The report of the committee was agreed to.

Upon the passage of the bill the ayes and nays were called and the vote was as follows:

Those voting in the affirmative were Messrs.—

Atkinson, Hudson, Snead, Christie, Mathews, Stevens, Clark, McLean, Sweat, Moore, Symons, Comas. Crumbley, Park, Taylor, Davis, Perry, Turner, Van Buren, Duncan of 10th, Reid, Smith, Worsham, Hopkins,

Those voting in the negative were Messrs.—

Allen, Harrell, Merritt,
Clements, Ledford, Roberts,
Dodd, Lewis, Skelton,
Duncan of 36th, McClure, Tisinger,
Golden, McMichael,

Those not voting were Messrs.—

Hightower, Lee, Williams,
Jordan, Middlebrooks, Mr. President,

Ayes 24, nays 14.

The resolution was passed by substitute, and ordered immediately transmitted.

The following Senate bills were read first time:

By Mr. Davis -

A bill to amend section 765, volume 3 of the Code, referring to certiorari from county courts.

Referred to General Judiciary Committee.

By Mr. Perry-

A bill to provide for the establishment and maintenance

of schools of agriculture and mechanic arts in the respective congressional districts of this State.

Referred to Committee on Education.

The following House bills were read first time:

By Mr. Richardson—

A bill to amend section 221 of the Code relative to theposting of lands.

Referred to the Agricultural Committee.

By Mr. Booth—

A bill to prescribe the qualifications of jurors in this State.

Referred to the General Judiciary Committee.

By Mr. Deal-

A bill to incorporate the town of Metter in Bullochcounty.

Referred to the Corporation Committee.

By Mr. Burton-

A bill to amend section 982 of the Code so as to add the town of Lavonia to the list of State depositories.

Referred to the Banks Committee.

By Mr. Polk—

A bill to prohibit the sale of liquors in Irwin county

Referred to the Temperance Committee.

By Messrs. Davis and Underwood—

A bill to authorize and direct the treasurer to transfer any surplus fund from any class of pensions to another class when the amount appropriated is insufficient.

Referred to the Appropriations Committee.

By Mr. Felder—

A bill to amend charter of the city of Macon.

Referred to the Corporations Committee.

-By Mr. Slaton-

A bill to abolish trials for insanity in this State.

Referred to the General Judiciary Committee.

By Messrs. Howard and Hicks—

A bill to amend the Act establishing the city court of Dublin.

Referred to the General Judiciary Committee.

By Mr. Morris-

A resolution authorizing the  $\Lambda$ ir Line R. R. to cross under the W. & A. R. R. in Cobb county.

Referred to the Railroad Committee.

By Mr. Slaton-

A resolution to pay E. R. Block certain compensation.

Referred to the Appropriation Committee.

Mr. Ledford, chairman pro tem. of the Committee on Engrossing, submitted the following report:

#### Mr. President:

The Committee on Engrossing has had under consideration the following bill which is found to be correctly engrossed and ready for transmission to the House:

A bill amending Act creating the city court of Baxley.

Respectfully submitted.

M. L. LEDFORD, Chairman pro tem.

Mr. Symons, chairman of the Committee on Enrollment, submitted the following report:

#### Mr. President:

The Committee on Enrollment report as duly enrolled and ready for the signatures of the President of the Senate and Speaker of the House the following Act, to wit:

An Act to incorporate the Kensington school district in Walker county, and for other purposes.

Respectfully submitted.

W F Symons, Chairman.

Mr. Tisinger, chairman of the Special Judiciary Committee, submitted the following report:

#### Mr. President:

The Special Judiciary Committee has had under consideration the following Senate bills, which it instructs me to report with the recommendation that they do pass:

A bill to abolish the fee system of the solicitor general of the superior court and to prescribe how he shall be paid-

A bill to modify and prescribe the duties of the clerk of the superior court.

A bill to modify and prescribe the duties of the judge of the superior court.

A bill to authorize judges of superior courts to issue writs of mandamus against boards of commissioners of roads and revenues.

The committee has also had under consideration the following House bills, which it instructs me to report with the recommendation that they do pass:

A bill to create the city court of Brunswick.

A bill to establish a county board of commissioners for Bibb county.

The committee has had under consideration the following House bill, which it instructs me to report with the recommendation that the same do pass by substitute:

A bill amending Act providing for a solicitor of the county court of Oconee county.

Respectfully submitted.

B. L. TISINGER, Chairman.

Mr. Hudson, chairman pro tem. of the Committee on Agriculture, submitted the following report:

## Mr. President:

The Committee on Agriculture has had under consideration the following House bill, which it instructs me to report with the recommendation that the same do pass as amended:

A bill to amend Act approved December 21, 1897,

amending section 583 of volume 1 of the Code relative to alternative road law.

Respectfully submitted.

T G. Hudson, Chairman pro tem.

Mr. Christie, chairman of the Committee on Banks, submitted the following report:

#### Mr. President:

The Committee on Banks has had under consideration the following House bills, which it instructs me to report with the recommendation that they do pass:

A bill to amend Act incorporating the Northeast Georgia Loan & Banking Co.

A bill to amend section 982, volume 1 of the Code, so as to add the town of Calhoun to the list of State depositories.

Respectfully submitted.

S. R. CHRISTIE, Chairman.

The following Senate bill was read third time to be put upon its passage:

By Mr. Duncan—

A bill to define and regulate the business of industrial life insurance.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite constitutional majority was passed.

The following Senate bill was read first time:

By Mr. Crumbley-

A bill to amend an Act amending the charter of the town of Georgetown so as to change the time for electing commissioners for said town.

Referred to the Special Judiciary Committee.

The following House bills were read second time:

By Messrs. Felder and Hall—

A bill to establish a county board of commissioners for Bibb county.

By Mr. Flanigan —

A bill amending Act establishing a system of public schools in the town of Lawrenceville.

By Mr. Rankin—

A bill amending section 982, volume 1 of the Code so as to add Calhoun to the list of State depositories.

By Mr. Foster-

A bill amending Act providing for a solicitor of the county court of Oconee county.

By Mr. Butts-

A bill to create the city court of Brunswick.

By Mr. Proctor-

A bill giving the commissioners of roads and revenues entire charge of the roads in Camden county.

By Mr. Shackelford-

A bill amending Act incorporating the Northeast Georgia Loan & Banking Co.

By Mr. West-

A bill to create a State School Book Commission.

This bill was made special order for to-morrow.

On motion, the Senate adjourned until to-morrow morning at 10 o'clock.

# SENATE CHAMBER, ATLANTA, GEORGIA, Thursday, August 6, 1903.

The Senate met pursuant to adjournment at 10 o'clock; was called to order by the President.

Prayer was offered by the Chaplain.

Upon the call of the roll the following membersanswered to their names:

Golden,	McLean,
Harrell,	McMichael,
Hightower,	Merritt,
Hopkins,	Middlebrooks,
Hudson,	Moore,
Jordan,	Park,
Lee,	Perry,
Ledford,	Reid,
Lewis,	Roberts,
Mathews,	Skelton,
McClure,	Smith,
	Harrell, Hightower, Hopkins, Hudson, Jordan, Lee, Ledford, Lewis, Mathews,

Snead, Taylor, Williams. Stevens, Tisinger, Worsham, Sweat. Turner, Mr. President.

Symons, Van Buren.

The Journal of yesterday was read and approved.

Mr. Tisinger, chairman of the Special Judiciary Committee, submitted the following report:

#### Mr. President:

The Special Judiciary Committee has had under consideration the following Senate bill, which it instructs me to report back with the recommendation that the same dopass:

A bill to amend the charter of Georgetown.

Respectfully submitted.

B. L. TISINGER, Chairman.

Mr. Duncan, chairman of the Committee on Engrossing, submitted the following report:

#### $Mr.\ President:$

The Committee on Engrossing has examined the following bills, which are found to be correctly engrossed and ready for transmission to the House:

A bill to amend paragraph 1, section 1, and paragraph 5, section 2, and to add a new paragraph to article 6, section 2, to be known as paragraph 9, so as to provide for a court of appeals.

A bill to define and regulate the business of industrial life insurance.

Respectfully submitted.

A. B. DUNCAN, 10th, Chairman.

The following message was received from his Excellency, the Governor, through his Secretary, Mr. Blackburn, to wit:

#### Mr. President:

I am directed by his Excellency, the Governor, to deliver to the Senate a sealed communication, to which he respectfully invites the consideration of your honorable body in executive session.

The 'ollowing Senate bills were read third time to be put upon their passage:

## By Mr. Hudson-

A bill to amend section 4868 of Vol. 2 of the Code relative to road laws.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite constitutional majority was passed.

Ordered immediately transmitted to the House.

Mr. Jordan, chairman of the Committee on Agriculture, submitted the following report:

#### Mr. President:

The Committee on Agriculture has had under consider-

ation the following House bill, which it instructs me to report with the recommendation that the same do pass as amended:

A bill to provide for the protection of birds and their nests.

Respectfully submitted.

C. H. JORDAN, Chairman.

Mr Hudson, chairman of the Committee on Pensions, submitted the following report:

#### Mr. President:

The Committee on Pensions has had under consideration the following Senate bills which it instructs me to report with recommendation that they do pass:

A bill to require ordinaries to keep a record of all pensioners in their county

A bill to authorize the use of application and evidence thereto attached on file in Pension Commissioner's office, as being competent evidence of enlistment and service, etc.

Respectfully submitted.

T. G. Hudson, Chairman.

The following special order was taken up:

## By Mr. Park-

A bill to provide for the selling of stocks of goods and other merchandise.

Report of committee was agreed to.

Upon the passage of the bill the ayes and nays were ordered, and the vote was as follows:

Those voting in the affirmative were Messrs.—

Hudson, Roberts, Allen, Atkinson, Jordan, Skelton, Lee. · Christie, Smith. Ledford, Snead, Clark, Mathews, Sweat, Clements, -Comas, McClure, Symons, Crumbley, McLean, Taylor, McMichael, Turner, Dodd, Duncan of 10th, Middlebrooks, Van Buren, Duncan of 36th, Moore. Worsham. Park, Golden.

Those voting in the negative were Messrs.—

Lewis, Perry, Stevens, Merritt, Reid, Tisinger,

Those not voting were Messrs.—

Davis, Hightower, Williams, Harrell, Hopkins, Mr. President.

Ayes 32, nays 6.

The bill having received the requisite constitutional majority was passed.

Ordered immediately transmitted to the House.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

#### Mr. President:

The House has passed by the requisite constitutional majority the following bills of the House, to wit:

A bill to incorporate Franklin school district in Heard county.

Also, a bill to incorporate the town of Centralhatchee in Heard county.

Also, a bill to create a board of county commissioners for Bulloch county.

Also, a bill to amend the charter of Acworth.

Also, a bill to amend the Act incorporating High Shoals.

Also, a bill to create a board of commissioners to make a roster of the Georgia soldiers and marines.

Also, a bill to create Camilla school district.

Also, a bill to create a new charter for Davisboro.

The House has also passed by the requisite constitutional majority the following resolution:

A resolution to provide for refunding of \$50.00 to bank of Barnesville.

Also a bill to appropriate \$2,000.00 to secure records of State from England.

Mr. Duncan, chairman of the Committee on Temperance, submitted the following report:

#### Mr. President:

The Committee on Temperance has had under consideration the following House bill, which it instructs me to report with the recommendation that the same do pass:

A bill to amend Act prescribing mode of granting license to sell intoxicating liquors in Telfair county

The committee has also had under consideration the following bill of the House, which it instructs me to report with the recommendation that the same do pass as amended:

A bill to prohibit the sale of spirituous liquors in Irwin. county.

Respectfully submitted.

J. T. DUNCAN, 36th, Chairman.

Mr. Ledford, chairman of the Committee on Education, submitted the tollowing report:

#### Mr. President:

The Committee on Education has had under consideration the following House bills, which it instructs me to report with the recommendation that they do pass as amended:

A bill to create a State School Book Commission.

A bill to amend the Act establishing a system of public schools in Lawrenceville.

Respectfully submitted.

M. L. LEDFORD, Chairman.

Mr. Middlebrooks, chairman of the Committee on Corporations, submitted the following report:

#### Mr. President:

The Committee on Corporations has had under consid-

eration the following House bills, which it instructs me to report with the recommendation that they do pass:

A bill to amend the charter of the city of Augusta so as to retire on part pay certain members of the police and fire departments.

A bill to amend the Act amending the charter of Warrenton.

A bill to amend the charter of the city of Macon.

A bill to incorporate the town of Sand Hill, in Carroll county.

A bill to amend the Act incorporating the town of Kite.

A bill to incorporate the town of Metter, in Bulloch county

A bill to incorporate the town of Barwick, in Thomas and Brooks counties.

Respectfully submitted.

L. L. MIDDLEBROOKS, Chairman.

The following Senate bills were read second time:

By Mr. Crumbley-

A bill to change the time for electing the commissioners of Georgetown.

By Mr. Perry-

A bill to provide for the establishment and maintenance of schools of agriculture in each congressional district.

This bill was recommitted.

## By Mr. Tisinger—

A bill to provide for the use of the application and evidence on file in the office of Pension Commissioner as competent testimony in certain cases.

## By Mr. Van Buren-

A bill to require ordinaries of this State to keep a record of all pensions of their counties.

## By Mr. Perry—

A resolution to pay pension of J. S. Brazill, in Hall county, to his widow.

The following House bills were read second time and recommitted to the Committee on Education:

## By Mr. Owen--

A bill to incorporate the Concord school district, in Pike county

## By Messrs. Richardson and Johnson—

A bill to incorporate the Ben Hill school district, in the counties of Houston and Crawford.

## By Mr. Alford-

A bill to create a school district at Doles, in Worth county.

## By Mr. Alford-

A bill to establish a school district at Fillyaw, in Worth county.

By Messrs. Martin and Hawes-

A bill to create a local school district for Bowman, Elbert county.

By Mr. Owen-

A bill to incoporate the Milner school district, in Pike county.

The following special order was taken up:

By Mr. West—

A bill to create a State School Book Commission, and for other purposes.

Report of the committee was agreed to.

Upon the passage of the bill the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.—

Allen, Hopkins, Middlebrooks, Moore, Atkinson, Hudson, Park, Christie. Jordan, Perry, Clark, Lee, Clements, Ledford, Roberts, Skelton, Comas, Lewis. Smith, Dodd. Mathews, McClure, Stevens. Davis, McLean, Sweat. Duncan of 10th, McMichael, Taylor, Duncan of 36th, Worsham, Merritt, Golden, Harrell,

Those voting in the negative were Messrs.—

Crumbley,

Tisinger.

Turner.

Symons,

Those not voting were Messrs.--

Hightower, Snead, Williams, Reid, Van Buren, Mr. President.

Ayes 34, nays 4.

The bill having received the requisite constitutional majority was passed as amended, and the amendments are as follows:

Amend section 2 in line 3 by striking out the figures "1905" and inserting "1904;" also by inserting immediately after the figures on line 3 the following words: "or such date thereafter not more than sixty days as shall be deemed necessary and practicable by the School Book Commission to allow the contractors to furnish to the schools of the State the books included in the contracts made by said commission with said contractors."

Amend section 4 by adding at the end of section the following: "provided, that the School Book Commision shall have authority upon the acceptance of any bid and the execution of any contract to furnish school books under the provisions of this act to allow such time after January 1, 1904, as may be deemed by said commission reasonably and necessary (not more than 60 days) to the contractor making such bid, or contract within which to furnish to all the schools of this State coming under the provisions of this act, with the books contracted to be furnished."

Amend section 6 by striking out of lines 31 and 32 the words "has never furnished and"; also by inserting after the word "contract" on line 39 the following words: "and that in case said contractor shall hereafter during the time of said contract, to furnish to any State, county or school district such book or books at a lower price than that named on the contract such lower price shall become the price of such

book or books under the contracts entered into with the said School Book Commission;" also by striking out of line 42 the words "have been" and inserting "are being;" also by striking out of line 47 the words "have been" and inserting the words "are being"

Mr. Christie, chairman of the Committee on Banks, submitted the following report:

#### Mr. President:

The Committee on Banks has had under consideration the following House bill which it instructs me to report with the recommendation that the same do pass:

A bill to amend section 982 volume 1 of the Code, so as to add the town of Lavonia, in Franklin county, to the list of State Depositories.

Respectfully submitted.

S. R. CHRISTIE, Chairman.

Mr. Symons, chairman of the Committee on Enrollment, submitted the following report:

## Mr. President:

The Committee on Enrollment report as duly enrolled, signed by the President of the Senate and Speaker of the House, and delivered to the Governor, the following Act, to wit:

At Act to incorporate the Kensington school district in Walker county, and for other purposes.

Respectfully submitted.

W F Symons, Chairman.

Mr. Symons, chairman of the Committee on Enrollment submitted the following report:

#### Mr. President:

The Committee on Enrollment report as duly enrolled, signed by the President of the Senate, and Speaker of the House, and delivered to the Governor, the following Act to wit:

An Act to establish a system of public schools in Pierce county, and for other purposes.

Respectfully submitted.

W. F. Symons, Chairman.

Mr. Symons, chairman of the Committee on Enrollment, submitted the following report:

#### Mr. President:

The Committee on Enrollment report as duly enrolled, and ready for the signatures of the President of the Senate and Speaker of the House, the following Act, to wit:

An Act to establish a system of public schools for Pierce county.

Respectfully submitted.

W F Symons, Chairman.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

#### Mr. President:

The House has passed by the requisite constitutional

majority by substitute as amended, the following bill of the Senate, to wit:

A bill to authorize the Prison Commission to hire the labor of felony convicts, and for other purposes.

The following Senate bills were read third time, to be put upon their passage:

## By Mr. Golden-

A bill to prohibit the sale of cotton futures, and for other purposes, in this State.

Report of the committee was agreed to.

Upon the passage of the bill the ayes and nays were ordered and the vote was as follows. Before the vote was taken a motion was made to table, which motion prevailed.

## By Mr. McMichael—

A bill to abolish the fee system of the solicitors general of this State.

On motion this bill was tabled.

Senate bills 175 and 176 were also tabled.

Senate bill No. 149 was made special order for tomorrow.

## By Mr. Sweat-

A bill to provide for the closing of private ways in this State.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 28, nays 0.

The bill having received the requisite constitutional majority was passed.

House bill 517 was made special order for to-morrow after the other special order.

House substitute to Senate bill known as convict leasebill, was committed to the Penitentiary Committee.

The following House bills were read first time:

## By Mr. Deal-

A bill to provide for the creating of a board of county commissioners for Bulloch county.

Referred to Agricultural Committee.

## By Mr. Owen-

A resolution to provide for refunding \$50.00 to the bank of Barnesville.

Referred to the Special Judiciary Committee.

## By Mr. Sanders-

A bill to incorporate the town of Centralhatchee in Heard county.

Referred to Corporation Committee.

## By Mr. Sanders—

A bill to incorporate the Franklin school district in Heard county.

Referred to Education Committee.

By Mr. Caswell-

A bill to create a board of commissions to make a roster of Georgia sailors and soldiers.

Referred to General Judiciary Committee.

By Messrs. Haws and Stovall-

A bill to appropriate \$2,000.00 to secure from England records pertaining to Georgia history

Referred to Appropriation Committee.

By Mr. Evans-

A bill to create a new charter for Davisboro, in Washington county.

Referred to Corporation Committee.

By Mr. Maples-

A bill to create the Camilla school district and establish public schools.

Referred to Education Committee.

By Messrs. McLain and Morris-

A bill to amend the charter of Acworth.

Referred to Corporation Committee.

By Messrs. George, Lawrence and Booth-

A bill to amend the Act incorporating the town of High Shoals.

Referred to Special Judiciary Committee.

The following House bills were read second time:

### By Mr. Rountree—

A bill to incorporate the town of Boswick, in the counties of Thomas and Brooks.

## By Mr. Deal—

A bill to incorporate the town of Metter, in Bulloch county.

## By Mr. Felder-

A bill to amend the charter of the city of Macon.

### By Mr. Paulk-

A bill to prohibit the sale of spirituous liquors in Irwin county.

## By Mr. Burton—

A bill to amend section 982 of the Code by adding the town of Lavonia to the list of State depositories.

# By Mr. Cook-

A bill to amend the Act prescribing the mode of granting license to retail spirituous liquors in Telfair county.

# By Messrs. Howard and Hicks-

A bill to amend the Act establishing the city court of Dublin.

By Mr. Dunbar-

A bill to amend the charter of the city of Augusta, so as to pension retired firemen and policemen.

By Mr. English—

A bill to amend an Act amending the charter of Warrenton.

By Mr. Kent-

A bill to amend the Act incorporating the town of Kite.

By Messrs. Steed and Hixon-

A bill to incorporate the town of Sand Hill, in Carroll county.

At 12:30 o'clock the Senate went into executive session.

On motion, the Senate adjourned until to-morrow morning at 10 o'clock.

SENATE CHAMBER, ATLANTA, GEORGIA, Friday, August 7, 1903.

The Senate met pursuant to adjournment at 10 o'clock; was called to order by the President.

Prayer was offered by the Chaplain.

On motion, the roll-call was dispensed with.

The Journal of yesterday was read and approved.

Mr. Duncan, chairman of the Engrossing Committee, submitted the following report:

#### Mr. President:

The Committee on Engrossing report as duly engrossed and ready for transmission to the House the following bills, to wit:

A bill to provide for the closing of private ways in certain cases.

A bill to amend section 4868 of the Code so that judges of Superior Courts may issue writs of mandamus against boards of commissioners of roads and revenues.

A bill to regulate the sale of stocks of goods, wares and merchandise in bulk.

Respectfully submitted.

A. B. Duncan, 10th Dist., Chairman.

Mr. Tisinger, chairman of the Special Judiary Committee, submitted the following report:

#### Mr. President:

The Special Judiciary Committee has had under consideration the following House bills, which it instructs me to report with the recommendation that they do pass:

A bill amending Act creating a board of commissioners of roads and revenues for Twiggs county.

A bill amending Act incorporating the town of High Shoals in Walton county

The committee has also had under consideration the following House resolution, which it instructs me to report with the recommendation that the same do pass A resolution to refund \$50.00 paid Secretary of State Cook for a bank charter.

Respectfully submitted.

B. L. TISINGER, Chairman.

Mr. Mathews, chairman of the Committee on Railroads, submitted the following report:

#### Mr. President:

The Committee on Railroads has had under consideration the following House resolution, which it instructs me to report with the recommendation that the same do pass:

A resolution consenting on the part of the State to allow the Atlanta and Birmingham Air Line Railroad to make an under-pass crossing under the tracks of the Western and Atlantic Railroad in Cobb county.

Respectfully submitted.

H. A. MATHEWS, Chairman.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

#### Mr. President:

The House has passed by the requisite constitutional majority the following bills of the House, to wit:

A bill to amend Act of the General Assembly to regulate control of misdemeanor convicts of Bibb county

A bill to establish a new charter for Higgston.

A bill to authorize the mayor and council of Fort Valley to issue bonds.

A bill to repeal an Act to erect and maintain public gates in Fannin county.

A bill to amend Act establishing the city court of Dawson.

A bill to amend the charter of the city of Augusta.

A bill to prohibit hogs from running at large.

A bill to amend an Act to establish and maintain a dispensary in town of Colquitt.

A bill for relief of W F. Shurley.

A bill to amend an Act establishing a system of public schools for Hazlehurst.

A bill to establish the city court of Waynesboro.

A bill to amend the charter of Macon so as to include Vineville in said city.

A bill to amend the charter of Chipley.

A bill to establish the city court of Hall county.

A bill to reincorporate the town of Waycross.

A bill to authorize the commissioners of roads and revenues of Terrell county to pay reasonable compensation to officers of court.

The House has also adopted the following joint resolution and invite the concurrence of the Senate in the same.

A resolution extending the time for the committee to investigate charges of lobbying to report.

The House has passed by the requisite constitutional majority the following bill of the Senate as amended, to wit:

To ratify the action of the Mayor and Council of Marietta in closing Howell street.

The House has concurred in the Senate amendments to the following bills, to wit:

# By Mr. Griffin -

A bill to incorporate the town of Jeffersonville.

A bill to repeal an Act to establish the city court of Clarkesville.

A bill to repeal Act to establish the city court of Mount Vernon.

A bill to create a board of commissioners for Walton county.

A bill to incorporate East Ellijay.

A bill to provide a board of commissioners for Monroe county

The following House bills were read first time:

## By Mr. Cromartie —

A bill to amend the Act establishing a system of Public Schools for Hazelhurst.

Referred to the Education Committee.

# By Mr. Bush-

A bill to amend the Act establishing a dispensary in the town of Colquitt.

Referred to the Temperance Committee.

By Mr. Yates-

A bill to prohibit hogs from running at large.

Referred to the Agriculture Committee.

By Mr. Dunbar-

A bill to amend the charter of the city of Augusta so as to provide the mode of conducting primary elections in said city.

Referred to the Corporation Committee.

By Mr. Raney—

A bill to amend the Act establishing the city court of Dawson.

Referred to the Special Judiciary Committee.

By Mr. Davis-

A bill to repeal an Act erecting public gates from the residence of Adam Davenport to the residence of W B. G. Rogers in Fannin county.

Referred to the Agriculture Committee.

By Mr. Brown-

A bill to authorize the town of Fort Valley to issue bonds to the amount of \$10,000.

Referred to the Special Judiciary Committee.

By Mr. Wooten-

A bill to establish a new charter for Higgstown in Montgomery county

Referred to the Corporation Committee.

By Mr. Felder-

A bill to amend an Act regulating the control of misdemeanor convicts in Bibb county.

Referred to the Special Judiciary Committee.

By Mr. Evans—

A resolution for the relief of W F. Shurly and his bondsmen.

Referred to the Finance Committee.

By Messrs. McElmurray and Nesbit-

A bill to establish the city court of Waynesboro in Burke county.

Referred to the Special Judiciary Committee.

By Mr. Slaton-

A resolution extending the time for the joint committee on lobbying to report.

This resolution was concurred in.

The following House bills and resolutions were read first time:

By Messrs. George, Lawrence and Booth-

A bill to amend the Act incorporating High Shoals.

By Mr. Griffin-

A bill to amend the Act creating the board of county commissioners of Twiggs county

By Mr. Morris--

A resolution authorizing the Air Line R. R. to cross under the W & A. R. R. in Cobb county.

By Mr. Owen--

A resolution to provide for the refunding of \$50.00 to the Bank of Barnesville.

The following House bills were read third time to be put upon their passage:

By Mr. Proctor-

A bill to give entire control of the roads of Camden county to the county commissioners.

Report of the committee was agreed to

Upon the passage of the bill the ayes were 23, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Butts-

A bill to amend the Act creating the city court of Brunswick.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 24, nays 0.

The bill having received the requisite constitutional majority was passed.

The following House bill was read first time:

By Mr. Felder-

A bill to amend the charter of Macon so as to include Vineville in said city.

Referred to the Special Judiciary Committee.

The following message was received from His Excellency, the Governor, through his secretary, Mr. Blackburn:

#### Mr. President:

I am directed by His Excellency, the Governor, to deliver to the Senate a sealed communication to which he respectfully invites the consideration of your honorable body in executive session.

The following Senate bill was read third time to be put upon its passage:

By Mr. Crumbley—

A bill to change the time of electing commissioners for Georgetown.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 24, nays 0.

The bill having received the requisite constitutional majority was passed.

The following Senate resolutions were read and adopted:

By Mr. Tisinger—

A resolution requesting the House to act on Senate bills for second and third readings, Monday and Tuesday

Ordered immediately transmitted to the House.

By Mr. Ledford-

A resolution to create a commission to investigate damage by smoke and fumes from copper mines.

Ordered immediately transmitted.

The following House bill was read second time and recommitted:

By Mr. Hardin-

A bill to revise and consolidate the laws of force for the protection of game in this State.

Mr. Ledford, chairman of the Committee on Education, submitted the following report:

#### Mr. President:

The Committee on Education has had under consideration the following House bills which it instructs me to report with the recommendation that they do pass:

A bill to incorporate the Concord school district.

A bill to create a local public school system for Bowman and vicinity.

A bill to incorporate Milner school district.

Respectfully submitted.

M. L. LEDFORD, Chairman.

Mr. Jordan, vice-chairman of the Committee on Appropriations, submitted the following report:

#### Mr. President:

The Committee on Appropriations has had under con-

sideraiion the following House resolutions, which it instructs me to report with the recommendation that they do pass:

A resolution authorizing the Treasurer to transfer surples funds from any class of pensions to another class.

A resolution to pay E. R. Black certain compensation.

Respectfully submitted.

C. H. JORDAN, Vice-Chairman.

The following House bills were read second time and recommitted to the Education Committee:

By Mr. Maples-

A bill to create the Camilla school district and establish public schools in same.

By Mr. Sanders—

A bill to incorporate the Franklin school district.

By Mr. Richardson—

A bill to amend section 221 of the Code which provides for the posting of lands.

The following House bills were read third time and put upon their passage:

By Mr. Rankin-

A bill to amend section 982 of the Code by adding the town of Calhoun to the list of State depositories.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 25, nays 0.

The bill having received the requisite constitutional majority was passed.

### By Mr. Burton-

A bill to amend section 982 of the Code by adding the town of Lavonia to the list of State depositories of this State.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 24, nays 0.

The bill having received the requisite constitutional majority was passed.

## By Mr. Thompson-

A bill to prohibit the gigging or trapping of fish in the streams of Hall county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 24, nays 0.

The bill having received the requisite constitutional majority was passed as amended:

Amendments are as follows: Amend section 1 by inserting the word "or" after the word "netting" in the sixth line, and striking out the words "or hooking" in the seventh line and by striking out the words "during the years 1904-05, and 06" in third line.

Amend caption by inserting "or" before the word "gigging" in second line, and striking out the words "and hooking" in second line and by striking out the words "for the next three years" at end of caption.

Mr. Lee, chairman of the Penitentiary Committee submitted the following report:

#### Mr. President:

The Committee on Penitentiary has had under consideration the House substitute for Senate Bill No. 68 which it instructs me to report with the recommendation that the same be concurred in as amended, to wit:

A bill to authorize and require the Prison Commission to hire the felony convicts after the expiration of the present lease.

### Respectfully submitted.

J. R. ALLEN,	GORDON LEE, Chairman;
R. B. McClure,	PAUL TURNER,
G, M. CLEMENTS,	W R. REID,
J. G. Moore,	J. T. Duncan,
L. H. Roberts,	F. L. SWEAT,
W F. GOLDEN,	HAMILTON CLARK,
J. L. McLEAN,	T G. Hudson,
P. H. Comas,	E. H. McMichael,
H. A. MATHEWS,	Wm. H. Davis,
JNO. D. TAYLOR.	

The following resolution was read and adopted.

## By Mr. Duncan—

A resolution to declare next Sunday a dies non, and that no per diem be called for that day

This resolution was reconsidered.

The following Senate resolution was taken up with House amendments and the amendments were concurred in:

By Mr. Howell-

A resolution to ratify the action of mayor and council of Marietta in closing Hansell street.

The following House bill was read second time and recommitted:

By Messrs. McLain and Morris-

A bill to amend the charter of Acworth in Cobb county.

Mr. Tisinger, Chairman of the Special Judiciary Committee, submits the following report:

Mr. President:

The Special Judiciary Committee has had under consideration the following House bills, which it instructs me to report back with the recommendation that the same do pass:

By Mr. Felder of Bibb-

A bill to amend the charter of the city of Macon, providing for the extension of the corporate limits of said city, etc.

By Mr. Felder of Bibb-

A bill to amend an Act of the General Assembly, approved February 26, 1874, entitled an Act to regulate and control misdemeanor convicts in the county of Bibb, etc.

Respectfully submitted.

B. L. TISINGER, Chairman.

Mr. Symons, chairman of the Enrollment Committee, submitted the following report:

#### Mr. President:

The Committee on Enrollment report as duly enrolled, and ready for the signatures of the President of the Senate and Speaker of the House the following Act, to wit:

An Act to incorporate the town of Menlo in Chattooga county, and for other purposes.

Respectfully submitted.

W F. Symons, Chairman.

Senate bill No 68 was made special order for next Monday, and 100 copies of the House substitute and reports be printed for the use of the Senate.

By unanimous consent the Committee on Constitutional Amendments was requested to return House bills Nos. 491, 534 and 551 to the Senate.

The following special order was taken up:

## By Mr. Perry—

A bill to prohibit the giving of passes or franks to any persons by railroad, telephone and telegraph and other companies in this State.

Mr. Hudson moved to table the bill and on this motion the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.—

Allen. McClure, Snead, Stevens, McLean, Atkinson. McMichael, Sweat, Christie, Taylor, Clark, Moore. Tisinger, Reid, Clements, Roberts, Van Buren. Hudson, Worsham, Skelton. Jordan. Smith, Lee.

Those voting in the negative were Messrs.—

Comas, Mathews, Perry,
Duncan of 36th, Merritt, Symons,
Ledford, Middlebrooks, Turner,
Lewis,

Those not voting were Messrs.—

Crumbley, Golden, Park,
Dodd, Harrell, Williams,
Davis, Hightower, Mr. President.
Duncan of 10th, Hopkins,

Ayes 23, nays 10.

The motion prevailed and the bill was tabled.

The next special order was taken up.

By Messrs. Pate and Fields-

A bill to amend an Act amending section 583 of the Code relative to the alternative road law.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 31, nays 0.

The bill having received the requisite constitutional majority was passed as amended; amend by striking out the words "that the registration of electors used prior to said election shall be used in said election," on page 3, line 3, section 1, of said bill, and insert in lieu thereof the following: "All persons who have registered 10 days before said election, or who have registered in the general election next preceding this election and who are otherwise qualified to vote for members of the General Assembly, shall be qualified to vote in this election." Amend by striking from section 1, in the 26th line of said section, the words

"one-tenth" and inserting in lieu thereof the words "one-fifth."

Committee amends by striking out section 2 and numbering same 3 and inserting in lieu thereof another section, to be known as section 2, to read as follows:

Section 2. Be it further enacted by authority aforesaid, That the provisions of this Act shall not apply to or affect any county in the State having the following population: Between 7,000 and 8,000 and between 13,700 and 14,000 population, or between 16,000 and 22,000 population, as shown by U. S. Census of 1900.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

### Mr. President:

The House has passed by the requisite constitutional majority the following bill of the House, to wit:

A bill to create the Confederate Memorial Board, and for other puposes.

By unanimous consent the following House bills were read third time to be put upon their passage:

## By Mr. Rainey-

A bill to incorporate the Sasser school district in Terrell county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Rainey—

A bill to incorporate the Parrott school district in Terrell county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 26, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Rainey-

A bill to incorporate the Bronwood school district in Terrell county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite constitutional majority was passed.

The following Senate bill was read second time and recommitted:

By Mr. Comas-

A bill to require railroad companies to equip flat cars to carry lumber.

On motion the Senate will meet at 10 o'clock on Monday when it adjourns to-day.

Mr. Jordan, vice chairman of the Committee on Appropriations, submitted the following report:

Mr. President:

The Committee on Appropriations has had under consid-

eration the following House bill, which it instructs me to report with the recommendation that the same do pass:

A bill to appropriate \$2,000.00 to procure certain records.

Respectfully submitted.

C. H. JORDAN, Vice-Chairman.

Mr. Middlebrooks, chairman of the Committee on Corporations, submitted the following report:

#### Mr. President:

The Committee on Corporations has had under consideration the following House bills which it instructs me to report with the recommendation that they do pass:

A bill to incorporate the town of Spread,

A bill to incorporate the town of Centralhatchee in Heard county.

A bill to create a new charter for the town of Davisboro.

Respectfully submitted.

L. L. MIDDLEBROOKS, Chairman.

The following Senate bill was read third time to be put upon its passage:

By Mr. Van Buren-

A bill to require the ordinaries of the counties of this State to keep a list of the pensions of their counties.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 26, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Perry-

A resolution to pay pension of J. S. Brazille in Hall county.

Report of the committee was agreed to.

This being an appropriation the ayes and nays were ordered and the vote is as follows:

Those voting in the affirmative were Messrs.—

Allen, Lee, Roberts. Atkinson, Ledford, Skelton, Christie. Lewis. Smith, Clark, Mathews, Sweat, Symons, Clements, McClure, Comas. McLean, Taylor, Crumbley, Middlebrooks. Tisinger, Duncan of 36th, Moore, Turner, Golden, Perry, Van Buren. Hudson, Reid, Worsham.

Those voting in the negative were Messrs.—

Jordan, Merritt,

Those not voting were Messrs.-

Dodd, Hightower, Snead,
Davis, Hopkins, Stevens,
Duncan of 10th, McMichael, Williams,
Harrell, Park, Mr. President,

Ayes 30, nays 2.

The resolution having received the requisite constitutional majority was passed. By Mr. Tisinger—

A bill to provide for the use of application and the evidence thereto attached on file in the Commissioner of Pensions' office as competent testimony in certain cases.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 28, nays 0.

The bill having received the requisite constitutional majority was passed.

The following House bill was read first time:

By Mr. Morris-

A bill to create the Confederate Memorial Board.

Referred to the General Judiciary Committee.

Mr. Duncan, chairman of Committee on Engrossing submitted the following report;

### Mr. President:

The Committee on Engrossing report as duly engrossed and ready for transmission to the House the following resolutions:

A resolution requesting the House to make Senate bills special order for Monday and Tuesday.

A resolution to create a committee to investigate injuries done by smoke from copper mines at Duck Town.

Respectfully submitted.

A. B. Duncan, 10th Dist., Chairman.

The following House bills were read second time:

By Mr. Sanders-

A bill to incorporate the town of Centralhatchee in Heard county.

By Mr. Phillips-

A bill to incorporate the town of Spreads in Jefferson county.

By Messrs. Martin and Hawes-

A bill to create a local public school system in Bowman.

By Messrs. Davis and Underwood—

A bill to authorize and direct the treasurer to transfer any surplus fund from any class of pensions to another class.

By Mr. Fields-

A bill to incorporate the Oak Grove school district in Dooly county.

By Mr. Morris--

A bill to incorporate the Smyner school district in Cobb county.

By Messrs. Hawes and Stovall—

A bill to appropriate \$2,000 to secure from England records pertaining to Georgia history.

By Mr. Evans--

A bill to create a new charter for the town of Davisboro in Washington county.

The following House bills were read third time to be put upon their passage:

### By Mr. Flanigan-

A bill to amend the Act establishing a system of public schools in Lawrenceville.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 28, nays 0.

The bill having received the requisite constitutional majority was passed as amended.

Amend section 1 by striking out the words "the total attendance made by children attending said schools as compared to the total attendance made by the children attending other public schools of said county" and substituting therefor the following: "The proportion that the school population of the said town bears to the school population of Gwinnett county."

# By Mr. Schackelford-

A bill to amend the Act incorporating the Northeast Georgia Loan and Banking Company.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 25, nays 0.

The bill having received the requisite constitutional majority was passed.

# By Mr. Dunbar--

A bill to amend the charter of the city of Augusta so as

to provide a way by which retired policemen or firemen may get pension.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 28, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Calvin-

A bill for the protection of birds and their nests in this State.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite constitutional majority was passed as amended.

Amend section 1 by striking therefrom in line five the words "The passage of this Act" and inserting in lieu thereof "January 1, 1904."

By Mr. Paulk-

A bill to prohibit the sale of spirituous liquors in the county of Irwin.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 32, nays 0.

The bill having received the requisite constitutional majority, was passed as amended: By adding the following to be known as section 8, and sec. following to be section 9, "Be it further enacted by the authority aforesaid, That the

provisions of the foregoing Act shall not go into effect until adopted by a majority of the qualified voters of Irwin county, at a regular election to be held at all the voting precincts in said county on the first Monday in October, 1903, that the ordinary of said county of Irwin shall advertise said election for the adoption or rejection of said Act by publishing notice of same in the newspaper in said county in which sheriff's sales are advertised, for four weeks immediately preceding said first Monday in October, 1903. Said election shall be held under the same rules and regulations as govern elections for members of the General Assembly of Georgia, and all persons residing in said county qualified to vote for members of the General Assembly are qualified to vote under the provisions of this Act. At said election those who favor said dispensaries as provided in this Act shall have written or printed on their ballots "For dispensaries," and those who oppose dispensaries as provided in this Act, shall have written or printed on their ballots "Against dispensaries," and if the majority of the votes cast at said election are for dispensaries then the provisions of this Act shall be of full force and effect, but if a majority of the votes cast at said election are against dispensaries this Act shall be null and void. Said election shall be held as other elections for county officers in said county are held and all the provisions of law in regard to the election of county officers as to consolidating the returns, disposition of ballots, tally sheets, etc., shall be applicable to the election which is to be held under the provisions of this Act.

## By Mr. Cook-

A bill to amend the Act to prescribe the mode of governing license to sell intoxicating liquors in Telfair county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Steed and Hixon-

A bill to incorporate the town of Sand Hill in Carroll county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite constitutional majority was passed as amended. Amend by striking "landlot No. 29" in line 8, section 2.

By Mr. English--

A bill to amend an Act amending the charter of Warrenton.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 26, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Felder and Hall-

A bill to establish a county board of commissioners for Bibb county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite constitutional majority was passed. By Mr. Felder--

A bill to amend the charter of the city of Macon.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 26, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Deal--

A bill to incorporate the town of Metter in Bulloch county.

Report of the committeee was agreed to.

Upon the passage of the bill the ayes were 26, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Rountree--

A bill to incorporate the town of Bostwick in the counties of Thomas and Brooks.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Foster-

A bill to amend the Act providing for a solicitor for the county court of Oconee county

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 24, nays 0.

The bill having received the requisite constitutional majority was passed by substitute.

By Mr. Booth-

A resolution for the relief of S. S. Duke from taxes for years 1898 and 1899.

Report of the committee was agreed to.

Upon the passage of the resolution the ayes were 25r nays 0.

The resolution having received the requisite constitutional majority was passed.

The following House resolution was read second time:

By Mr. Slaton--

A resolution to pay E. R. Black certain compensation.

At 12:50 the Senate went into executive session.

Leaves of absence were granted Senators Moore, Middle-brooks and McMichael.

Upon motion, the Senate adjourned until Monday morning at 10 o'clock, the President making the following statement in announcing the adjournment:

"This is an unprecedented record in the history of the Georgia Senate. Never within my knowledge, and perhaps not at any time within the past thirty years, has the Senate adjourned over from Friday to Monday within the last week of the session. And yet we are enabled to do so today by virtue of the fact that the secretary's desk is absolutely clear. Every bill of the Senate which has been re-

ported has been acted upon, and every House bill which has been reported has been advanced as far as can be at this time under the constitutional rules of legislation. There has not been a Saturday during this entire session that the Senate has not been fully up with its work. I congratulate each member of this body upon the steady application which has enabled the Senate to make this gratifying record. It is a tribute to the earnestness of the body at which every member naturally has a right to feel proud, and in appreciation of which I, as your presiding officer, am naturally profoundly grateful, for without the mutual cooperation which has enabled us to advance the Senate's business to its present position we would at this time have found our calendar congested with accumulated bills rather than in the present clear condition."

SENATE CHAMBER, ATLANTA, GEORGIA,

Monday, August 10, 1903.

The Senate met pursuant to adjournment at 10 o'clock; was called to order by the President.

Prayer was offered by the Chaplain.

On motion, the roll-call was dispensed with.

The Journal of Friday was read and approved.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

Mr. President:

The House has passed by the requisite constitutional majority the following bills of the House, to wit:

A bill to allow defendants in trover cases to plead set offs.

Also, a bill to amend an Act creating a board of commissioners for Jackson county.

Also, a bill to incorporate the town of Mystic, in Irwin county.

Also, a bill to amend an Act to create a board of commissioners for Emanuel county.

Also, a bill to amend section 6 of Act to organize the military of the State.

Also, a bill to create a new charter for the town of Palmetto, and for other purposes.

The House has passed by the requisite constitutional majority the following bills of the House, to wit:

A bill to provide for an exchange of the present site of the Presbyterian church in Milledgeville.

Also, a bill to amend an Act to create a dispensary for the town of Buena Vista.

Also, a bill to provide for the removal of obstructions in streams of Morgan county.

Also, a bill to make it unlawful for any person to kill cattle in the 25th militia district of Glynn county.

Also, a bill to create a board of commissioners for Carroll county.

Also, a bill to make an appropriation to Winnie Davis Memorial.

Also, a bill to amend the charter of the town of Norwood.

Also, a bill to amend an Act to provide a charter for the city of Dublin.

Also, a bill to amend an Act to authorize the town of Cusseta to create a debt.

Also, a bill to amend an Act to incorporate the town of Boston.

Also, a bill to change and fix the time of holding the superior court of Banks county.

Also, a bill to create a board of commissioners of roads and revenues for the county of Franklin.

Also, a bill to amend an Act entitled an Act to amend an Act to amend the charter of the town of Maysville.

Also, a bill to abolish the city court of Forsyth.

Also, a bill to amend an Act to create a system of public schools in the city of LaGrange.

Also, a bill to regulate the sale of liquors in certain cities in this State.

Also, a bill to protect fish in Notla river, in Union county

Also, a lill to amend an Act to create a new charter for the city of Tennille.

Also, a bill to amend the charter of East Rome.

Also, a bill to create the office of road commissioner for the county of Carroll.

A bill to repeal an Act to create a board of commissioners of roads and revenues for Franklin county.

A bill to provide for removal of obstructions from the streams of Dawson county.

A bill to amend an Act to prohibit the sale of liquors in Lee county.

The following message was received from the House-through Mr Boifeuillet, the clerk thereof:

#### Mr. President:

The House has passed by the requisite constitutional majority the following bills of the Senate to wit:

A bill to incorporate the town of Meigs, in Thomas-county.

Also, a bill to provide a new charter for the town of Flowery Branch.

Also, a bill to prohibit hunting with dogs or guns in Thomas county

Also, a bill to create a new charter for the town of Nichols.

Also, a bill to amend an Act establishing a new charter for the city of Gainesville.

The House has concurred in the following joint resolution of the Senate to wit: A resolution to create a committee to investigate injuries done by smoke and fumes at Ducktown.

The House has concurred in Senate amendments Nos. 1 and 2, and has also concurred in amendment No. 3 as amended to the following bill:

A bill to amend Act approved December 21, 1897, relative to alternative road law.

The following message was received from the House through Mr. Boifeuillet, the clerk thereof:

#### Mr. President:

The House has passed by the requisite constitutional majority the followings bills of the House to wit:

A bill to incorporate the Pineview school district.

A bill to enlarge the powers of the police court of Savannah.

A bill to create a department of health and health officers.

A bill to incorporate the Snow school district.

A bill to regulate the carrying of certain deadly weapons.

Also, the following resolutions of the House to wit:

A resolution to pay the expenses of investigating committee.

A resolution to authorize a correction to be made in House bill No. 601.

Mr. Tisinger, chairman of the Special Judiciary Committee, submitted the following report:

#### Mr. President:

The Special Judiciary Committee has had under consideration the following House bills, which it instructs me to report with the recommendation that they do pass:

A bill to establish the city court of Waynesboro.

A bill amending Act establishing the city court of Dawson.

Respectfully submitted.

B. L. TISINGER, Chairman.

Mr. Middlebrooks, chairman of the Committee on Corporation, submmitted the following report:

#### Mr. President:

The Committee on Corporations has had under consideration the following House bills, which it instructs me to report with the recommendation that they do pass:

A bill to amend the charter of Ackworth, in Cobb county.

A bill to amend the charter of the city of Augusta.

A bill to establish a new charter for the town of Higgston, Montgomery county.

Respectfully submitted.

L. L. MIDDLEBROOKS, Chairman.

By unanimous consent the following House bills were read second time and recommitted:

## By Mr. Calvin-

A bill to amend section 453 of the Code relative tovagrancy.

## By Mr. Brown-

A bill to authorize the mayor and council of Fort Valley to issue bonds.

## By Mr. Evans--

A resolution for the relief of W F Shurly and his bondsmen.

## By Mr. Carswell—

A bill to create a board of commissioners to make a roster of Georgia soldiers and sailors.

## By Mr. McElmurray—

A bill to establish the city court of Waynesboro.

## By Mr. Morris—

A bill to create the Confederate Memorial Board.

The following resolution was read and adopted:

## By Mr. McMichael-

A resolution appointing a committee of two from the Senate and three from the House to investigate the report of the whipping of Miss Mamie DeCris at the State Farm.

Committee on part of Senate are Senators McMichael and Hudson.

Ordered immediately transmitted.

Mr. Ledford, Chairman pro tem. of the Committee on Engrossing, submitted the following report:

## Mr. President:

The Committee on Engrossing report as correctly engrossed and ready for transmission to the House the following bills and resolution, to wit:

A bill to require the ordinaries of this State to keep a record of all pensioners in their county.

A bill to provide for using the application and evidence of file in the office of Commissioner of Pensions, by maimed or wounded Confederate soldiers, in certain cases.

A bill to amend Act amending the charter of George-town.

A resolution to pay pension of J. S. Brazile to his widow Margaret C. Brazile.

Respectfully submitted.

M. L. LEDFORD, Chairman pro tem.

The following message was received from his Excellency, the Governor, through his Secretary, Mr. Blackburn:

#### Mr. President:

I am directed by his Excellency, the Governor, to deliver to the Senate a sealed communication, to which he respectfully invites the consideration of your honorable body in executive session.

Mr. Duncan. Chairman of the Committee on Engrossing, submitted the following report:

# Mr. President:

The Committee on Engrossing report as duly engrossed and ready for transmission to the House the following resolution:

A resolution to appoint a committee to investigate the whipping of Miss DeCris.

Respectfully submitted.

A. B. Duncan, 10th District, Chairman.

Mr. Symons, chairman of the Committee on Enrollment, submitted the following report:

## Mr. President:

The Committee on Enrollment report as duly enrolled and ready for the signatures of the President of the Senate and Speaker of the House, the following resolution, to wit:

A resolution to ratify the action of the mayor and council of Marietta in authorizing Hansell street to be closed, and for other purposes.

Respectfully submitted.

W F Symons, Chairman.

Mr. Symons, chairman of the Committee on Enrollment, submitted the following report

Mr. President:

The Committee on Enrollment report as duly enrolled, signed by the President of the Senate and Speaker of the House and delivered to the Governor the following resolution, to wit:

A resolution to ratify the action of the mayor and council of Marietta in authorizing Hansell street to be closed, and for other purposes.

Respectfully submitted.

W. F Symons, Chairman.

Mr. Symons, chairman of the Committee on Enrollment, submitted the following report:

Mr. President:

The Committee on Enrollment report as duly enrolled, signed by the President of the Senate and Speaker of the House, and delivered to the Governor, the following Act, to wit:

An Act to incorporate the town of Menlo, in Chatteoga county, and for other purposes.

Respectfully submitted.

W. F. Symons, Chairman.

The following special order was taken up, which is a substitute to the following Senate bill:

By Mr. Clements-

A bill to authorize and require the prison commission to hire the labor of felony convicts in this State for a period of five years.

Report of the committee was agreed to.

Upon the adoption of the House substitute as amended the ayes and nays were ordered, and the vote was as follows:

Those voting in the affirmative were Messrs.—

Allen,	Hudson,	Reid,
Christie,	Jordan,	Roberts,
Clark,	Lee,	Skelton,
Clements,	Ledford,	Smith,
Comas,	Mathews,	Snead,
Crumbley,	McLean,	Stevens,
Davis,	McMichael,	Sweat,
Duncan of 10th,	Merritt,	Symons,
Duncan of 36th,	Middlebrooks,	Taylor,
Harrell,	Moore,	Tisinger,
Hightower,	Park,	Turner,
Hopkins,	Perry,	Worsham,

Those voting in the negative were Messrs.—

Atkinson,

Lewis.

Van Buren,

Those not voting were Messrs.—

Dodd,

McClure,

Mr. President.

Golden, Williams,

Ayes 36, nays 3.

The substitute having received the requisite constitutional majority was passed as amended, and the amendments are as follows:

# AMENDMENTS PROPOSED BY THE PENITENTIARY COMMITTEE OF THE SENATE TO THE HOUSE SUBSTITUTE FOR SENATE BILL No. 68.

Amendment 1: Amend section 1, line 5 and also line 50 by striking word January and insert word March.

Adopted.

Amendment 2: Amend section 1 by striking all language beginning with the word "and" after the word "authorized" in the ninth line and ending with the word "advertisement" in the eleventh line, and insert in lieu thereof "the advertisement shall be published as required in section 8."

Adopted.

Amendment 3: Amend section 1, page 2, line 26 of printed bill by striking the following words: "No hirer shall have the right to sublet or sublease any convicts hired by him," and insert in lieu thereof the tollowing: "No lessee of convicts as herein provided for shall sublease any of said convicts to any person other than such as shall be approved by said commission, and only upon such terms as said commission shall prescribe."

Adopted.

Amendment 4: Amend section 1, line 44, page 3, by striking the word "provide" and insert in lieu thereof the word "require."

Adopted.

Amendment 5: Amend section 3 by striking out all after word "section" in second line, and insert following: "Be it further enacted, That the several counties of this State shall have the right at their option to work and use convicts sentenced to the penitentiary for periods of five years or less, on the public roads and public works, except those convicts which are now required by law to be placed upon the prison farm; that on or before December 1, 1903, those counties desiring to work such convicts on their public works and roads shall, through their proper authorities, so notify the prison commission in writing, and those counties which do not so notify the prison commission

shall participate in and take the proceeds from the hire of the convicts, made upon the ratio and in the manner hereinafter provided, to wit: That as soon after the first day of December, 1903, as is practicable the prison commission shall make a just apportionment of all the felony convicts among the several counties of the State, on the basis of their general population as is shown by the latest United States census, so as to ascertain the number of convicts that each county will be entitled to; and when this number is ascertained, those counties which have given the written notice above prescribed shall be furnished by the commission the number of convicts which it has been determined they are entitled to, out of the class of convicts above prescribed in the order of the filing of the applications therefor. If it should appear that applications are filed by counties for convicts, under the above provisions in excess of the number of convicts sentenced for five years and less, available for work upon the roads of the counties of this State, then said convicts shall be awarded only to those counties in the order of their applications that can be supplied with their proportion of the convicts under said apportionment. When said commission determines the number which each county is entitled to the prison commission shall notify the counties which have been awarded their proportionate number of convicts, whereupon said counties shall be required to receive said convicts and transport them to their destination without expense to the State, and keep and use them upon the public roads and works of said counties for a period of not less than one year; provided, however, that any such county so taking and working such convicts shall have the option and right to retain and work suca convicts for a period not longer than five years. Provided, also, that after any such county has kept and worked said convicts for a period of one year it may, after having given said prison commission sixty

days' notice, return said convicts to said prison commission, and said commission shall thereupon proceed to award the said convicts to any county having applied therefor, making such award to the courts in the order of the date of such applications; and in case there should be no such applications of file at the time of the return of such convicts, said commission shall lease said convicts upon such terms and for such time as shall be, in their judgment, for the best interest of the State not inconsistent with the provisions of this Act. Those counties which receive and work their proportion of the felony convicts shall not participate in the proceeds of the hire of said convicts; only those counties shall be awarded convicts by the commission which work their misdemeanor convicts upon the public roads or works. In the event any county shall not have a sufficient number of convicts after having received the number awarded to them and there shall remain unapplied for by December 1, 1903, convicts of the class hereinbefore designated as available to be worked upon the roads of the counties of this State, it shall have the right to bid for additional convicts in the same manner and under the same terms and conditions as individuals or corporations, and the said prison commission shall give said counties the preference in the hiring of said convicts, provided that the price offered by said county or counties is equivalent to or more than the net amount that would be received by the commission from the highest bid made by an individual or corporation."

Adopted.

Amendment 6: Amend by striking out section 4 and substituting the following: "Be it further enacted, That the net hire of the convicts shall be transmitted quarterly by the Treasurer of the State to the treasurers of those counties which shall not have received their proportion of the felony convicts for work upon the public roads or

works, and each county so receiving its proportionate part of the net hire of convicts shall appropriate it in the following manner and for the following purposes only, to wit: For the common schools or for the public roads, as the first grand-jury sitting after the first receipt of funds from the hire of felouy convicts shall determine, provided that if it be determined to use said hire, either upon the roads or for the public schools, no succeeding grand jury shall change the application of said funds within two years, but after two years from the first recommendation by the grand jury of any county as to said hire, the grand jury of such county shall determine the disposition of such hire for next succeeding two years, and bi-ennially thereafter the grand jury shall determine as to said hire, as between the school fund and the public roads of the county"

Amendment 7: Add new section, to be known as section 5: "Be it further enacted, That the prison commission shall grade and classify all convicts to be leased under the provisions of this Act to the end that those convicts sentenced for life and others that are desperate and unruly may be separated from those sentenced for lesser crimes under such rules as the commission may prescribe."

Amend House substitute line 28, sec. 1, by striking therefrom the words 500 after the word "than," and inserting "50," and amend after the word "received" in the same line and inserting "in any one bid," provided that this does not restrict any person, firm or corporation from making more than one bid. So that said firm or corporation may receive more than one group of 50.

Adopted.

Amend substitute after the word "contemplate" in line 35 by striking the words "the property of said principal

and security or securities of said bond shall be bound," and insert the following: "The State shall have a lien on all the property of said principal and security or securities of said bond."

On the adoption of committee amendment No. 5 to the House substitute the ayes and nays were ordered, and the vote is as follows:

Those voting in the affirmative were Messrs.—

Allen, Hopkins, Reid, Christie, Jordan, Roberts, Clark, Lee. Smith, Snead, Comas, Mathews, Crumbley, McLean, Sweat, McMichael, Symons, Dodd, Davis, Merritt, Taylor, Duncan of 36th, Middlebrooks, Tisinger, Harrell, Moore, Turner, Worsham. Hightower, Park,

Those voting in the negative were Messrs.—

Atkinson, Ledford, Stevens,
Clements, Lewis, Van Buren,
Hudson, Perry,

Those not voting were Messrs.—

Duncan of 10th, McClure, Williams,
Golden, Skelton, Mr. President.

Ayes 30, nays 8.

The amendment was adopted.

The following Senate resolution was read and adopted;

# By Mr. Tisenger-

A resolution providing that the Senate shall have two sessions of the day for the remainder of the session.

The following message was received from the House through Mr. Boifeuillet, the clerk thereof:

## Mr. President:

The House has passed by the requisite constitutional majority the following bills of the House, to wit:

A bill to amend the charter of the city of Brunswick.

Also, a bill to amend a clause in the appropriation Act.

Also, a bill to amend the charter of the city of Blakely

Also, House resolution endorsing the Brownlow bill.

Also, a bill to provide for removal of obstructions from streams of Carroll county

Also, a resolution to make correction in House bill No. 527

The House refuses to concur in the Senate amendments to the following House bills:

A resolution to require joint committee on finance to make certain investigation.

Also, a bill to amend Act to establish public schools in Lawrenceville.

The House has concurred in the Senate amendments to the following House bills:

A bill to amend the Act creating the city court of Early county.

Also, a bill for protection of birds and their nests.

Also, a bill to amend section 1378 of the Code.

Also, a bill to provide for the teaching of elementary principles of agriculture in the common schools.

Also, a bill to prohibit the sale of liquors in Irwin county.

Also, a bill to incorporate the town of Sand Hill.

Also, a bill to prohibit catching of fish in Hall county.

Also, a resolution to make appropriation for exhibit at St. Louis Exposition.

Also, a bill to establish uniform system of text-books in Georgia.

Mr. Jordan, chairman of the Committee on Agriculture, submitted the following report:

### Mr. President:

The Committee on Agriculture has had under consideration the following House bills which it instructs me to report with the recommendation that they do pass:

A bill to create a board of county commissioners for the county of Bulloch.

A bill to provide the manner of fishing in Flint river, and all streams in Fayette county

The Committee has also had under consideration the following House bill which it instructs me to report with the recommendation that it do pass as amended:

A bill to amend section 221, volume 3 of Code, which provides for the posting of lands and for the punishment for hunting or fishing thereon.

Respectfully submitted.

C. H. JORDAN, Chairman.

Mr. Perry, chairman of the General Judiciary Committee, makes the following report:

#### Mr. President:

The General Judiciary Committee has had under considation the following bill of the Senate, which I am instructed to report back with the recommendation that it "do pass."

A bill to amend section 765 of the 3rd volume of the Code of 1895, referring to certioraris from the county courts, and for other purposes.

Also, that the following bill of the House "do pass:"

A bill to abolish trials for insanity in certain cases.

H. H. PERRY, Chairman.

The following House bills were read first time:

By Mr. Mitchell-

A bill to amend the Act incorporating the town of Boston.

Referred to Corporation Committee.

By Mr. Fields-

A bill to incorparate the Snow school district in Dooly county.

Referred to Education Committee.

By Mr. Cann-

A bill to enlarge and define the powers of the police court of the city of Savannah.

Referred to the Special Judiciary Committee.

By Messrs. Johnson and Singletary-

A bill to regulate the carrying of concealed weapons.

Referred to Special Judiciary Committee.

By Mr. Whitley—

A bill to create a department of health and health officers in this State.

Referred to the Hygiene and Sanitation Committee.

By Mr. Wellborn-

A bill to protect fish in Notla river in Union county.

Referred to Agriculture Committee.

By Mr. Butts—

A bill to amend the charter of the city of Brunswick.

Referred to Corporation Committee.

By Mr. Buchannon-

A bill to amend the charter of the city of Blakely

Referred to Corporation Committee.

By Mr. Steed-

A bill to remove obstructions from the streams of Carroll county.

Referred to Agriculture Committee.

By Mr. Stovall—

A bill to amend the clause in the appropriation bill for the years 1903 and 1904 which relates to the publication of Georgia Reports.

Referred to General Judiciary Committee.

By Mr. Fussell-

A bill to amend the Act authorizing the town council of Cusseta to create a debt.

Referred to Corporation Committee.

By Mr. Edwards—

A bill to amend the Act creating a dispensary in Buena Vista, in Marion county

Referred to Education Committee.

By Mr. Bell-

A bill to amend the Act creating the board of commissions of roads and revenues for Emanuel county.

Referred to Special Judiciary Committee.

By Mr. Steed—

A bill to create the office of road commissions for the county of Carroll.

Referred to Special Judiciary Committee.

By Mr. English—

A bill to amend the charter of the town of Norwood.

Referred to Corporation Committee.

By Mr. McHenry-

A bill to amend the charter of East Rome so as to authorize the collection of taxes.

Referred to Special Judiciary Committee.

By Messrs. Holder and Hardeman—

A bill to amend the Act creating the board of county commissions of Jackson county.

Referred to Special Judiciary Committee.

By Mr. Burton-

A bill to repeal an Act creating the board of county commissions for Franklin county.

Referred to Special Judiciary Committee.

By Mr. Butts—

A bill to make it unlawful to kill any cow, bull, steer, hog, etc., in the 25th district of Glynn, county

Referred to Agriculture Committee.

By Messrs. Duckett, Holder and Hardeman-

A bill to amend the Act amending the charter of Maysville.

Referred to Corporation Committee.

By Messrs Cann, Stoval and Harden-

A bill to regulate the sale of spirituous liquors in cities by authority of municipal enactment.

Referred to Temperance Committee.

By Mr. Benton-

A bill to create a board of commissions of roads and revenues for Franklin county

Referred to Special Judiciary Committee.

By Mr. Paulk-

A bill to incorporate the town of Mystic in Irwin county.

Referred to Corporation Committee

By Mr. Adams—

A bill to amend section 6 of an Act to organize the military forces of this State.

Referred to Committee on Military Affairs.

By Messrs. Steed and Hixon-

A bill to create a board of county commissioners of Carroll county.

Referred to the Special Judiciary Committee.

By Messrs. Dozier and Ridley-

A bill to amend an Act establishing a system of public schools in the city of LaGrange.

Referred to the Committee on Education.

By Mr. Shannon-

A bill to abolish the city court of Forsyth in Monroe county.

Referred to the Special Judiciary Committee.

By Mr. Stovall-

A bill to make an appropriation to the trustees of the University for the completion of the Winnie Davis monument.

Referred to the Appropriation Committee.

# By Mr. Reid-

A bill to create a new charter for the town of Palmetto in Campbell county.

Referred to the Corporation Committee.

# By Mr. Duckett-

A bill to change and fix the time for holding the Superior Court of Banks county.

Referred to the Special Judiciary Committee.

## By Mr. Howard—

A bill to provide for the exchange of the present site of the Presbyterian church at Milledgeville.

Referred to the Special Judiciary Committee.

# By Mr. Roper-

A bill to provide for the removal of obstructions from the streams of Dawson county.

Referred to the Agriculture Committee.

# By Mr. McBride—

A bill to amend an Act prohibiting the sale of spirituous liquors in Lee county

Referred to the Temperance Committee.

# By Mr. Franklin-

A bill to amend an Act providing for a new charter for the city of Tennille.

Referred to the Special Judiciary Committee.

By Mr. Aikin-

A bill to allow defendants in certain trover cases to plead set-offs or to recoup in damages.

Referred to the General Judiciary Committee.

By Messrs. Howard and Hicks—

A bill to amend the Act providing a charter for Dublin.

Referred to the Corporation Committee.

By Mr. Bowen—

A bill to incorporate Pineview school district in Wilcox county.

Referred to the Education Committee.

By Mr. Slaton-

A resolution to pay expenses of investigating committee.

Referred to the Appropriation Committee.

By Mr. Stovall-

A resolution to authorize correction in House bill 601.

This resolution was concurred in,

By Mr. Cann —

A resolution to make correction in House bill 527

This resolution was adopted.

By Mr. Glenn-

A resolution endorsing the Brownlow good-roads bill now pending in Congress.

Referred to the Agriculture Committee.

The following House bills were read the second time:

By Mr. Felder-

A bill to amend an Act regulating the control of misdemeanor convicts in Bibb county

By Mr. Dunbar-

A bill to amend the charter of the city of Augusta.

By Mr. Wooten-

A bill to establish a new charter for the town of Higgsaton.

By Mr. Rainey-

A bill to amend the Act establishing the city court of Dawson.

By Mr. Slaton-

A bill to abolish trials for insanity in certain cases.

By Mr. Wise-

A bill to provide the manner of fishing in Flynt river in Fayette county.

By Mr. Felder-

A bill to amend the charter of the city of Macon, to provide for the extension of said limits.

By Mr. Deal-

A bill to provide for the creation of a board of county-commissioners of Bulloch county.

By Mr. Booth-

A bill to prescribe the qualification of jurors in the superior courts, and for other courts.

This bill was recommitted.

On motion, Senate adjourned until 3 o'clock p.m.

The Senate met pursuant to adjournment at 3 o'clock, was called to order by the President.

Upon motion the roll call was dispensed with.

The following House bills were read third time and put upon their passage.

By Mr. Sanders-

A bill to incorporate the town of Centralhatchee in Heardscounty.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 24, nays 0.

The bill having received the requisite constitutional majority was passed. By Mr. Phillips-

A bill to incorporate the town of Spread in Jefferson county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 24, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. George and Lawrence-

A bill to amend the Act incorporating the town of High Shoals in Walton county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Griffin—

A bill to amend an Act creating a board of commissions of roads and revenues for Twiggs county

Report of the committee was agreed to.

Upon passage of the bill the ayes were 23, nays 0.

The bill having received the requisite constitutional majority was passed.

# By Mr. Kent-

A bill to amend an Act incorporating the town of Kite.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 24, nays 0.

The bill having received the requisite constitutional majority was passed.

## By Mr. Evans—

A bill to create a new charter for the town of Davisboro.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 25, nays 0.

The bill having received the requisite constitutional majority was passed.

The following message was received from the House through Mr. Boifeuillet, the clerk thereof:

## Mr. President:

The House has passed by the requisite constitutional majority the following bill of the Senate to wit:

A bill to alter and amend Article 8, Section 4, paragraph 1, of the Constitution.

The House has passed by the requsite constitutional majority the following bills of the House, to wit:

A bill to incorporate the Pleasant Valley school district.

Also, a bill to incorporate the Oakland school district in Dooly county.

Also, a bill to establish the public school system of Arlington in Calhoun and Early counties.

Also, a bill to incorporate the town of Isabella in Worth county.

Also, a bill to incorporate the Dooling school district.

Also, a bill to establish the Canon school district.

Also, a bill to make it unlawful to procure money on contract to perform manual labor.

Mr. Turner, of 34th district, vice-chairman of the Appropiations Committee, submitted the following report:

## Mr. President:

The Committee on Appropriations have had under consideration the following House resolution and bill which they recommend do pass, to wit:

A resolution to pay the expense of the committee to investigate lobbying.

A bill to be entitled an Act to make an appropriation to the trustees of the University of Georgia to aid in the completion of the "Winnie Davis Memorial Hall," a dormitory building at the State Normal School at Athens, Ga.

Respectfully submitted.

PAUL TURNER, Vice-Chairman.

The following House bills were read first time:

By Mr. Pate—

A bill to incorporate the Pleasant Valley school district in Dooly county.

Referred to Education Committee.

By Mr. Adams-

A bill to make it unlaw ul for any person to procure money or other thing of value on contract to perform services with intent to defraud.

Referred to Agriculture Committee.

By Mr. Fields---

A bill to incorporate the Oakland school district in Dooly county.

Referred to Education Committee.

By Mr. Alford-

A bill to incorporate the town of Isabella, of Worth county.

Referred to Corporation Committee.

By Messrs. Stewart and Buchannon—

A bill to establish a public school system in Arlington.

Referred to Education Committee.

By Mr. Burton-

A bill to establish the Canon school district.

Referred to Education Committee.

The following message was received from His Excellency, the Governor, through his secretary, Mr. Blackburn:

#### Mr. President:

I am directed by His Excellency, the Governor, to deliver to the Senate a sealed communication, to which he respectfully invites the consideration of your honorable body in executive session.

# By Mr. Fields-

A bill to incorporate the Dooling school district, in Dooly county.

Referred to Education Committee.

The following resolution was read and adopted:

# By Mr. Perry—

A resolution appointing a committee of two from the Senate and three from the House to investigate certain claims of the Simms heirs against the Northeastern Railroad.

Committee on the part of the Senate, are Senators Perry and Lewis.

The following House bill was read third time to be put upon its passage:

# By Mr. Boykin-

A bill to incorporate the Amity school district in Lincoln county

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 25, nays 0.

The bill having received the requisite constitutional majority was passed.

The following message was received from the House-through Mr. Boifeuillet, the clerk thereof:

## Mr. President:

The House has passed by the requisite constitutional majority the following bills of the House, to wit:

A bill to incorporate the Waresboro school district in Ware county.

Also, a bill to incorporate Mount Vernon school district.

The following message was received from the House-through Mr. Boifeuillet, the clerk thereof:

#### Mr. President:

The House has passed by the requisite constitutional majority the following bills of the House, to wit:

A bill to amend the General Tax Act so as to provide for additional appropriation of \$2,500.00 for the Soldiers' Home, and for other purposes.

The following House bills were read first time:

# By Mr. Fields-

A bill to incorporate the Mount Vernon school district in Dooly county

Referred to the Education Committee.

By Mr Spence—

A bill to incorporate the Waresboro school district in Ware county.

Referred to the Education Committee.

By Messrs. Holder, Hardeman and Shackelford-

A bill to amend the general appropriation bill for 1903-04, so as to add \$2,500 to the Soldiers' Home.

Referred to the Appropriation Committee.

At 4:45 o'clock the Senate went into executive session.

On motion, the Senate adjourned until to-morrow morning at 10 o'clock.

SENATE CHAMBER, ATLANTA, GEORGIA,
Tuesday, August 11, 1903.

The Senate met pursuant to adjournment at 10 o'clock; was called to order by the President.

Prayer was offered by the Chaplain.

On motion, the roll-call was dispensed with.

The Journal of yesterday was read and approved.

Mr. Comas, chairman of the Committee on Hygiene and Sanitation, submitted the following report:

Mr. President:

Your committee has had under consideration the following House bill which they recommend do pass as amended, to wit:

A bill to be entitled an Act to create a Department of Health and Health Officers in this State, and for other purposes.

Respectfully submitted.

P H. Comas, Chairman.

Mr. Ledford, chairman pro tem. of the Committee on Engrossing, submitted the following report:

Mr. President:

The Committee on Engrossing report as duly engrossed and ready for transmission to the House the following resolution:

A resolution to appoint a committee to investigate and report upon question of doing justice to heirs of Sherman J. Sims.

Respectfully submitted.

M. L. LEDFORD, Chairman Pro Tem.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

Mr. Speaker:

The House has passed by the requisite constitutional majority by substitute, the following bill of the Senate, to wit:

A bill to authorize defendants in actions now pending to plead as defense possession of 20 years.

A bill to direct the Pension Commissioner to pay certain pension money to ordinaries for disposition.

The following resolution and ask concurrence of the Senate in the same:

A resolution providing for return of House bill 110.

The following message was received from His Excellency, the Governor, through his Secretary, Mr. Blackburn:

#### Mr. President:

His Excellency, the Governor, has approved and signed the following Acts, to wit:

An Act to change the time of holding the fall term of Upson superior court.

An Act to establish a system of public schools for Pierce county.

An Act to incorporate the Kinsington school district in Walton county.

Mr. Davis, chairman of the Finance Committee, submitted the following report:

#### Mr. President:

The Committee on Finance has had under consideration the following resolution of the House, which it instructs me to report back with the recommendation that the same do pass:

A resolution for the relief of W F Shurly and his bondsmen.

Respectfully submitted.

WM. H. DAVIS, Chairman.

Mr. Perry, chairman of the General Judiciary Committee, made the following report:

Mr. President:

The General Judiciary Committee has had under consideration the following bill of the House, which I am instructed to report back with the recommendation that it do pass as amended:

A bill to amend section 453, volume 3, of the Code, in regard to vagrancy.

Respectfully submitted.

H. H. PERRY, Chairman.

Mr. Duncan, chairman of the Temperance Committee, submitted the following report:

#### Mr. President:

The Committee on Temperance has had under consideration the following House bill, which it instructs me to report with the recommendation that it do pass:

A bill amending Act prohibiting the sale of liquors in Leecounty.

Respectfully submitted.

Duncan, 36th, Chairman.

Mr. Duncan, chairman of the Committee on Temperance, submitted the following report:

#### Mr. President:

The Committee on Temperance has had under consideration the following House bill, which it instructs me to report with the recommendation that the same do pass:

A bill to amend Act to establish and maintain a dispensary in the town of Colquitt, Miller county.

A bill to repeal Act amending the charter of the town of Meigs, in Thomas county.

Respectfully submitted.

Duncan, 36th, Chairman.

Mr. Jordan, chairman of the Committee on Agriculture, submitted the following report;

#### Mr. President:

The Committee on Agriculture has had under consideration the following House bills, which it instructs me to report with the recommendation that they do pass:

A bill to fix the number of days each person subject to road duty shall be required to work.

A bill to prohibit hogs from running at large.

A bill making it unlawful for any one to procure money or goods on a contract to perform services with intent to defraud.

A bill to repeal Act to erect gates in certain section in Fannin county.

A bill to make it unlawful to kill any cow, etc., in 25th district, G. M.

A bill to protect fish in the Notla river in Union county

Also that the following House resolution do pass:

A resolution endorsing the "Brownlow bill."

Respectfully submitted.

C. H. JORDAN, Chairman.

The following House bills were read second time and recommitted:

## By Mr. Underwood-

A bill to amend the appropriation bill for 1903 and 1904 relative to the publication of Georgia Reports.

## By Mr. Aikin-

A bill to allow defendants in certain trover cases to plead setoffs in certain cases.

The following House bills and resolutions were read secondatime:

## By Mr. Slaton-

A resolution to pay the expenses of the committee investigating lobbying.

# By Mr. Whitley-

A bill to create a department of health and health officers in this State.

# By Mr. Roper—

A bill to provide for the removal of obstructions from the streams in Dawson county.

# By Mr. Steed-

A bill to provide for the removal of obstructions from the streams of Carroll county.

# By Mr. Stovall-

To make an appropriation to complete the Winnie Davis. Memorial Hall.

## By Mr. Adams—

A bill to amend section 6 of the bill to organize the military forces of this State.

The following House bills were read third time to be put upon their passage:

## By Mr. Richardson—

A bill to amend section 221 of the Code which provides for the posting of lands.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite constitutional majority was passed, as amended. Amend caption by striking from lines 5 and 6 the words "or fishing;" amend section 1 by striking out in lines 9 and 10 the words "enter upon, pass over or;" also amend section 1 by striking out of lines 26 and 27 the words "enter upon said lands or;" also amend section 1 by adding at the end thereof the words, "When said lands are so posted such posting shall be held and deemed a legal notice under this section."

Amend section 4 of the bill by adding at the end of said section the following: "At the time of the registering of the name of the land owner he shall also register a description of the lands that have been posted, giving the district in which said lands are located, and either the numbers of the lots or other description of the lands sufficient to put the public on notice of the lands referred to. For registering said name and description, the officer in whose presence the registry is made is authorized to charge and collect a fee of 25 cents from the person so registering."

By Messrs. McElmurray and Nesbit-

A bill to establish the city court of Waynesboro in Burke county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 30, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Rainey-

A bill to amend the Act establishing the city court of Dawson.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Evans—

A resolution for the relief of W. F Shurly and his bondsmen.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Felder-

A bill to extend the corporate limits of the city of Macon.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 25, nays 0.

The bill having received the requisite constitutional majority was passed.

## By Mr. Felder—

A bill to amend an Act regulating the control of misdemeanor convicts in Bibl county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 24, nays 0.

The bill having received the requisite constitutional majority was passed, as amended: Amend section 1 by striking out all the words in said section appearing after "1903" in 11th line and ending before "at" in 14th line, the words so stricken being as follows: "Said such time as they may deem proper of each year, to be determined by the Board of County Commissioners." Also amend by striking out of said bill all of section and numbering the remaining sections accordingly.

# By Mr. Deal—

A bill to create a Board of County Commissioners of Bullock county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite constitutional majority was passed.

# By Mr. Tigner-

A bill to fix the number of days each person shall be subject to road duty.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 31, mays 0.

The bill having received the requisite constitutional majority was passed.

### By Mr. Dunbar-

A bill to amend the charter of the city of Augusta so as to provide for the manner of conducting primary elections.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 30, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Mitchell, Rountree and Singletary—

A bill to repeal an Act amending the Act incorporating the town of Meigs.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 24, nays 0.

The bill having received the requisite constitutional majority was passed.

# By Mr. Wooten-

A bill to establish a new charter for the town of Higgston in Montgomery county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 25, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Wise-

A bill to provide the manner of fishing in Flint river in Fayette county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 32, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Maples—

A bill to create the Camilla school district in Mitchell county.

Report of the committee was agreed to.

Upon the passsge of the bill the ayes were 26, nays 0.

The bill having received the requisite constitutional majorit was passed.

By Messrs. Hawes and Stovall-

A bill to appropriate \$2,000.00 to secure from England records pertaining to Georgia history.

Report of the committee was agreed to.

This being an appropriation the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.—

Allen, Clements, Hopkins,
Atkinson, Davis, Hudson,
Christie, Golden, Jordan,
Clark, Hightower, Lee,

Ledford, Park, Sweat, Perry, Lewis, Symons, Mathews, Reid, Taylor, McClure. Roberts, Turner, McLean, Skelton, Van Buren, Smith, McMichael, Williams, Merritt, Snead, Worsham, Sievens. Moore,

,

Those voting in the negative were Messrs.—

Dodd,

Harrell,

Those not voting were Messrs.—

Comas, Duncan of 36th, Tisinger,
Crumbley, Middlebrooks, Mr. President.

Duncan of 10th,

Ayes 35, nays 3.

The bill was passed.

By Mr. Owen—

A resolution refunding to the Bank of Barnesville \$50.00.

This being an appropriation the ayes and nays were ordered and the vote is as follows:

Those voting in the affirmative were Messrs.—

Allen, Hopkins, Moore, Atkinson, Hudson, Perry, Christie, Jordan, Reid, Clark, Ledford. Roberts. Comas, Skelton, Lewis. Crumbley, Mathews, Smith, Dodd, McClure, Snead, Davis, Stevens, McLean, Duncan of 36th, McMichael, Sweat, Hightower, Merritt, Symons,

Worsham.

Taylor, Van Buren,
Turner, Williams,

Those not voting were Messrs.—

Clements, Harrell, Park,
Duncan of 10th, Lee, Tisinger,
Golden, Middlebrooks, Mr. President,

Ayes 35, nays 0.

The resolution was passed.

By Mr. Sanders-

A bill to incorporate the Franklin school district in Heard county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 23, nays, 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Underwood—

A resolution authorizing and directing the Treasurer to transfer certain pension funds to other pension funds.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Slaton-

A resolution to pay E. R. Black certain compensation.

Report of the committee was agreed to.

This being an appropriation the ayes and nays were ordered and the vote is as follows:

Those voting in the affirmative were Messrs.—

Ledford, Roberts, Atkinson. Skelton, Lewis. Christie, Smith, Mathews, Clark, Snead, McClure, Clements, Stevens, McLean, Comas, McMichael, Sweat, Crumbley, Middlebrooks, Symons, Duncan of 36th, Moore, Taylor, Hightower, Perry, Williams, Hopkins, Worsham. Jordan, Reid, Lee.

Those not voting were Messrs.—

Harrell, Allen, Tisinger, Dodd. Hudson, Turner. Davis. Merritt, Van Buren, Duncan of 10th, Park, Mr. President. Golden,

Ayes 31, nays 0.

The resolution was passed.

By Mr. Morris-

A resolution of consent on the part of the State that the Air Line railroad cross under the W & A. railroad in Cobb county.

Report of the committee was agreed to.

Upon passage of the resolution the ayes were 26, nays 0.

The resolution having received the requisite constitutional majority was passed.

By Mr. Slaton—

A bill to abolish trials for insanity in certain cases.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Calvin—

A bill to amend section 453 of the Code relative to vagrancy in this State.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 25, nays 0,

The bill having received the requisite constitutional majority was passed, as amended.

Amend by adding after paragraph 7 in section 1 the following as paragraph 8:

All persons over 16 and under 21 years of age, able to work and who do not work, and who have no property to support them and have not some known and visible means of a fair, honest and reputable livelihood, and whose parents are unable to support them and who are not in attendance upon some educational institution.

Amend by adding to the 1st section the following:

Provided that it shall be a sufficient defense to the charge of vagrancy and any of the provisions of this Act, that the defendant has made bona fide efforts to obtain employment at reasonable prices for his labor and has failed to obtain the same.

House amendment to the following Senate resolution was -concurred in:

By Mr. Davis-

A resolution to authorize the State Bank Examiner to employ a stenographer.

Senate bill No. 156, with House amendment, was referred to the General Judiciary Committee.

House resolution No. 134, with Senate amendment, which the House refuses to concur in, was recommitted to the Finance Committee.

Senate concurs in House amendments to Senate amendment to the alternative road law bill.

The Senate recedes from its amendment to the House bill establishing public schools in Lawrenceville.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

#### Mr. President:

The House has adopted by substitute the following Senate resolution, to wit:

A resolution to appoint a committee to investigate the whipping of Miss DeCris at the prison farm at Milledgeville, Ga.

Mr. Middlebrooks, chairman of the Committee on Corporations, submitted the following report:

#### Mr. President:

The Committee on Corporations has had under consideration the following House bills which it instructs me to report with the recommendation that they do pass:

A bill to amend charter of Blakely.

A bill to amend charter of Brunswick.

A bill incorporating the town of Mystic.

A bill to amend charter of town of Norwood.

A bill to amend Act authorizing the mayor and council of Cusseta to create a debt.

A bill to incorporate the town of Isabella.

A bill amending charter of town of Boston.

A bill to amend charter of town of Maysville.

A bill to create a new charter for Palmetto.

The committee also recommends that the following House bill be read second time and then tabled:

A bill to amend charter of the city of Dublin, and for other purposes.

Respectfully submitted.

L. L. MIDDLEBROOKS, Chairman.

Mr. Ledford, chairman of the Committee on Education, submitted the following report:

#### Mr. President:

The Committee on Education has had under consideration the following House bills which it instructs me to report with the recommendation that they do pass:

A bill to create the Camilla school district.

A bill to incorporate the Franklin school district in Heard county.

A bill amending Act establishing a system of public schools for Hazlehurst.

A bill to establish the Canon public school district.

A bill to incorporate the Pineview school district in Wilcox county.

A bill to amend Act establishing a system of public schools in the city of LaGrange.

A bill to establish a public school district in the town of Arlington.

A bill to incorporate the Waresboro school district in Ware county.

The committee has also had under consideration the following House bills, which it instructs me to report with the recommendation that they do pass as amended:

A bill to incorporate the Pleasant Valley school district.

A bill to incorporate the Mount Vernon school district.

A bill to incorporate the Snow school district in Dooly county.

A bill to incorporate the Dooling school district in Dooly county.

A bill to incorporate the Oakland school district in Dooly county.

The committee has also had under consideration the following House bill which it instructs me to report with the recommendation that it do not pass:

A bill to incorporate the Ben Hill school district in Houston and Crawford counties.

Respectfully submitted.

M. L. LEDFORD, Chairman.

The following House bills were read third time to be put upon their passage:

By Mr. Owen-

A bill to incorporate the Concord school district in Pike county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 26, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Owen—

A bill to incorporate the Milner school district in Pike county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite constitutional majority was passed.

The Senate refuses to concur in the House substitute to the following resolution:

By Mr. McMichael-

A resolution appointing a committee to investigate the whipping of Miss Mamie DeCris at the State farm.

The following House bills were read third time to be put upon their passage:

By Mr. Morris-

A bill to incorporate the Olive Springs school district in Cobb county

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Morris-

A bill to amend the Act incorporating the Upshaw school district.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 24, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Morris and McLain-

A bill to incorporate the Elizabeth school district in Cobb county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 32, nays 1.

The bill having received the requisite constitutional majority was passed.

By Mr. Morris-

A bill to incorporate the Smyrna school district in Cobb county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 32, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Morris and McLain—

A bill to incorporate the Leonard school district in Cobb county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 26, nays 0.

The bill having received the requisite constitutional majority was passed as amended.

Amend by adding at the end of section 9 the following words, to wit:

Provisions of this section and section 8, giving the boards of trustees power and authority to levy and collect taxes on all the taxable property of said district for the purpose of defraying the expenses of said school, shall not be effective until adopted by two-third vote of the qualified voters of the said district.

Amend by striking out all of section 15 and inserting in lieu thereof the following:

Section 15 Be it further enacted, That the provisions of this Act incorporating the Leonard school district should not go into effect until ratified by a majority of the qualified voters living within the territory incorporated in this bill at an election to be held by the freeholders entitled

to vote at said election, within sixty days after the approval of this bill, of which election not less than twenty days' notice shall be given by the trustees named in this bill, by posting notices at three or more prominent places within the territory incorporated in this district, said notices to state plainly the time and place of holding said election. The polls to remain open from 8 o'clock a.m. to 3 o'clock p. m. Those voting in said election, who desire to adopt the provisions of this Act incorporating said district, shall have printed on their tickets, "For incorporation," and those voting against the provisions of this Act shall have written or printed on their tickets, "Against incorporation." All persons who have lived within the district incorporated in this bill for six months next preceding this election and who are entitled to vote for members of the General Assembly under the present law, shall be entitled to vote in said election. When the polls in said election are closed the managers shall proceed at once to count the ballots and declare the result of said election, and the returns, together with the result as declared by said managers, shall be filed in the Ordinary's office of Cobb county.

Mr. Middlebrooks, chairman of the Committee on Corporations, submitted the following report:

#### Mr. President:

The Committee on Corporations has had under consideration the following House bill, which it instructs me to report with the recommendation that it do pass as amended:

A bill to amend the charter of Acworth in Cobb county.

Respectfully submitted.

L. L. MIDDLEBROOKS, Chairman.

The following House bills were read second time:

By Mr. Fussell-

A bill to amend the Act authorizing the town council of Cusseta to create a debt.

By Mr. Duckett-

A bill to change and fix the time for holding the superior court of Banks county.

By Mr. Burton-

A bill to establish the Canon public school district.

By Mr. English—

A bill to amend the charter of the town of Norwood.

By Mr. Fields-

A bill to incorporate the Mount Vernon school district.

By Mr. Bell, of Emanuel-

A bill to amend an Act creating a board of commissioners of roads and revenues of Emanuel county.

By Mr. Burton-

A bill to be entitled an Act to repeal an Act to create a board of roads and revenues of Franklin county

By Mr. Fields-

A bill to incorporate the Dooling school district in Dooly county

By Mr. Fields-

A bill to incorporate the Oakland school district in Dooly county.

By Messrs. Dozier and Ridley—

A bill to amend an Act to establish a system of public schools in LaGrange.

By Mr. Fields-

A bill to incorporate the Snow school district in Dooly county

By Mr. Alford, of Worth—

A bill to incorporate the town of Isabella in the county of Worth.

By Messrs. Duckett, Holder and Hardeman-

A bill to amend the charter of the town of Maysville.

By Messrs. Howard and Hicks, of Laurens—

A bill to amend the charter of the city of Dublin.

By Mr. Cromartie, of Appling-

A bill to amend an Act establishing a system of public schools for Hazelhurst.

By Mr. Butts-

A bill to amend the charter of the city of Brunswick.

By Mr. Buchannon—

A bill to amend the charter of the city of Blakely.

By Mr. Mitchell, of Thomas-

A bill to amend the charter of the town of Boston.

By Mr. Spence-

A bill to incorporate the Waresboro school district.

By Mr. Cann-

A bill to enlarge and define the powers of the police court of the city of Savannah.

By Mr. Shannon-

A bill to abolish the city court of Forsyth in Monroe county.

By Mr. Paulk-

A bill to incorporate the town of Mystic in the county of Irwin.

By Messrs. Johnson and Singletary-

A bill to regulate the carrying of certain deadly weapons.

By Mr. Reid—

A bill to create a new charter for Palmetto, Campbell county.

By Messrs Stewart and Buchannon—

A bill to establish a system of public schools in the town of Arlington; to extend the limits of said town, and for other purposes.

By Mr. Burton-

A bill to create a board of commissioners of roads and revenues for Franklin county

By Messrs. Steed and Hixon—

A bill to create a board of commissioners of roads and revenues for Carroll county.

By Messrs. Steed and Hixon-

A bill to create the office of road commissioner for Carroll county.

By Mr. Franklin-

A bill to amend the Act providing a new charter for the town of Tennille.

By Mr. Pate—

A bill to incorporate the Pleasant Valley school district in Dooly county.

By Mr. Edwards—

A bill to amend the Act creating a dispensary in Buena-Vista.

By Mr. Bowen -

A bill to incorporate the Pineview school district in Wilcox county.

By Messrs. Holder, Hardeman and Shackelford-

A bill to amend the Appropriation Act in reference to Soldiers' Home.

By Messrs. Holder and Hardeman—

A bill to amend an Act creating a board of commissioners of Jackson county.

### By Messrs. Cann, Harden and Stovall-

A bill to regulate the sale of liquors in cities of this State.

### By Mr. McBride-

A bill to amend the Act prohibiting the sale of spirituous liquors in Lee county.

### By Mr. Davis—

A bill to repeal an Act erecting public gates from the residence of Adam Davenport to W B. G. Rogers' in Fannin county.

## By Mr. Howard—

A bill to provide for a change in the site of the Presbyterian church in Milledgeville.

## By Mr. Yates—

A bill to prohibit hogs from running at large.

## By Mr. Adams-

A bill to make it unlawful to procure money or other thing of value on contract to perform services.

## By Mr. Bush-

A bill to amend the Act establishing a dispensary in Colquitt county.

# By Mr. Wellborn-

A bill to protect fish in the Notla river in Union county.

By Mr. McHenry-

A bill to amend the charter of the town of East Rome.

By Mr. Butts-

A bill to make it unlawful for any person to kill any cow, bull, steer, etc., in the 25th district of Glynn county.

By Mr. Glenn—

A resolution endorsing the Brownlow bill now pending in Congress.

The following House bill was read third time to be put upon its passage:

By Messrs. McLain and Morris—

A bill to amend the charter of Acworth in Cobb county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 26, nays 0.

The bill having received the requisite constitutional majority was passed as amended, and the amendments are as follows:

Amend by adding the following as section 23 and renumbering other sections: That the above provisions shall not become operative until ratified by a majority of the qualified voters of the city of Acworth, at an election to be called by the mayor and council between now and January 1, 1904, thirty days' notice to be given of such election.

On motion, the Senate adjourned until 3:30 o'clock.

The Senate met pursuant to adjournment at 3:30 o'clock; was called to order by the President.

The following House bill was read third time to be put upon its passage:

By Mr. Alford-

A bill to establish a school district at Fillyaw, Worth county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 25, nays 0.

The bill having received the requisite constitutional majority was passed.

Mr. Lee, chairman of the Committee on Penitentiary, submitted the following report:

### Mr. President:

Your Committee on Penitentiary has had under consideration the following Senate resolution, which they recommend do pass:

A resolution condemning the practice of whipping women convicts in this State.

Respectfully submitted.

GORDEN LEE, Chairman.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

### Mr. President:

The House has adopted the following joint resolutions and invites the concurrence of the Senate in the same:

A resolution providing that all unfinished business be carried over to the next session of the General Assembly

Also a resolution providing for bringing up the unfinished business of the session.

Also a resolution relating to the unfinished business of the session.

The House has adopted the substitute proposed by the Senate to the following bill:

A bill to amend the Act providing for a solicitor of the county court of Oconee county.

The House has passed by the requisite constitutional majority the following bill of the Senate, to wit:

A bill to amend Art. 7, Sec. 1 of the Constitution, so as to limit the rate of taxation.

The House has also passed by the requisite constitutional majority the following bill of the Senate, to wit:

A bill to regulate the sale of stocks in bulk.

The House amends the amendment of the Senate to the following House bill:

By Mr. Calvln-

For protection of birds in this State, and for other purposes.

The House has adopted the following joint resolution, and invites the concurrence of the Senate in the same:

A resolution regulating the number of pages, etc., for the General Assembly.

'The House has passed by the requisite constitutional majority the following Senate resolution:

A resolution directing the State Printer to bind certain records.

The following House resolutions were read and adopted:

### By Mr. Wellborn-

A resolution directing the Clerk of the House and Secretary of the Senate to mail to each member the status of unfinished business.

### By Mr. Wellborn-

A resolution authorizing the officers of the Senate and House to remain at the Capital five days after the session and that they receive their per diem.

## By Mr. Fielder--

A resolution providing that all bills and resolutions not acted on this session shall go over as unfinished business.

## By Mr. Calvin—

A resolution directing the auditing committee to audit the account of the pages at their usual per diem; also audit an account for assistant doorkeeper at \$4.00 per day. This resolution was amended by making two doorkeepers instead of one.

The following Senate bill was taken up with House substitute:

## By Mr. Perry-

A bill to limit the tax rate to 5 mills.

On the adoption of the substitute the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.—

Allen. Hopkins, Roberts, Jordan, Skelton, Atkinson. Smith, Ledford. Christie, Lewis, Snead, Clements. Crumbley, Mathews, Stevens, Taylor, Dodd, McClure, Tisinger, McLean, Davis, McMichael, Van Buren, Duncan of 10th, Duncan of 36th, Merritt, Williams, Worsham, Golden, Moore, Perry, Harrell,

Those voting in the negative were Messrs.—
Symons,

Those not voting were Messrs.—

Clark, Lee, Sweat,
Comas, Middlebrooks, Turner,
Hightower, Park, Mr. President.

Hudson, Reid,

Ayes 32, nays 1.

The substitute was adopted by the requisite two-third majority.

Mr. Merritt, chairman of the Committee on Military, submitted the following report:

#### Mr. President:

The Committee on Military has had under consideration the following House bill, which it instructs me to report with the recommendation that it do pass:

A bill to amend section 6 of an Act approved December

17, 1902, "To organize the military forces of the State," etc.

Respectfully submitted.

R. L. MERRITT, Chairman.

The Senate concurred in the House amendment to the Senate amendment to the following bill of the House:

By Mr. Calvin-

A bill for the protection of birds and their nests.

On motion the Senate adjourned until to-morrow morning at 10 o'clock.

SENATE CHAMBER, ATLANTA, GEORGIA, Wednesday, August 12, 1903.

The Senate met pursuant to adjournment at 10 o'clock; was called to order by the President.

Prayer was offered by the Chaplain.

On motion the roll-call was dispensed with.

On motion the reading of the Journal was dispensed with.

Mr Jordan, chairman of the Committee on Agriculture, submitted the following report:

Mr. President.

The Committee on Agriculture has had under consider-

ation the following House bills, which it instructs me to report with the recommendation that they do pass as amended:

A bill to provide for the removal of obstructions from the streams of Carroll county.

A bill to provide for the removal of obstructions from the streams of Dawson county.

Respectfully submitted.

C. H. JORDAN, Chairman.

Mr. Tisinger, chairman of the Special Judiciary Committee, submitted the following report:

### Mr. President:

The Special Judiciary Committee has had under consideration the following House bills, which it instructs me to report with the recommendation that they do pass:

A bill to regulate the carrying of certain deadly weapons.

A bill to abolish the city court of Forsyth in Monroe county.

A bill to amend an Act creating a board of commissioners of Jackson county.

A bill to enlarge the powers of the police court of Savannah.

A bill to amend charter of the town of Tennille, Ga.

A bill to create a board of commissioners of roads and revenues for the county of Carroll.

A bill to authorize the mayor and council of Fort Valley to issue bonds for \$10,000 for school purposes.

A bill to create the office of road commissioner for Carroll county.

Respectfully submitted.

B. L. TISINGER, Chairman.

Mr. Davis, chairman of the Finance Committee, submitted the following report:

Mr. President:

The Committee on Finance has had under consideration the following House resolutions as amended, which it instructs me to report with the recommendation that the Senate recede from its amendment, to wit:

A resolution to require the Joint Committee on Finance to make a complete investigation of the office of Secretary of State, School Commissioner, Commissioner of Agriculture, Prison Commissioners and Pension Commissioner's office.

Respectfully submitted,

WM. H. DAVIS, Chairman.

Mr. Ledford, chairman of the Committee on Education, submitted the following report:

Mr. President:

The Committee on Education has had under consideration the following House bills, which it instructs me to report with the recommendation that they do pass:

A bill to incorporate the Mount Zion school district.

A bill to authorize the mayor and council of Fort Valley to issue bonds for school purposes.

A bill to create a school district at Doles, Worth county.

The Committee further recommends that the following House bill do pass by substitute, to wit:

A bill to amend Act creating a dispensary in Buena Vista, Marion county.

Respectfully submitted.

M. L. LEDFORD, Chairman.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

Mr. President:

The House has passed by the requisite constitutional majority the following bills of the Senate, to wit:

A bill to provide for the testing and mode of testing illuminating qualities of oil, and for other purposes.

Also, a bill to provide for the appointment of a game warden and deputy wardens in the county of Thomas.

Also, a bill to amend section 982, volume 1 of the Code.

The House has passed by the requisite constitutional majority the following bill of the Senate by substitute, as amended:

A bill to make penal the adulteration of spirits of turpentine.

Also, the following Senate bill as amended:

A bill to amend section 2171, volume 2 of the Code.

Also, the following bill passed by substitute:

A bill to authorize administrators, executors, etc., to charge costs for giving bond.

The House has concurred in the Senate amendment to the following bill:

A bill to amend the Act to regulate the control and management of misdemeanor convicts, and for other purposes.

The House has adopted the following resolution of the Senate, to wit:

A resolution to appoint a committee to investigate and report upon the question of doing justice to the heirs of Sherman J. Sims.

The House has passed by the requisite constitutional majority the following joint resolution of the Senate, to wit:

A resolution for the relief of J. K. McAfee, J. R. Grice and W. H. Raley, sureties on the bond of Charlie Harris.

The following resolution was adopted:

## By Mr. Middlebrooks-

A resolution condemning the whipping of female convicts, and requesting the prison commission to provide other punishment for them.

The following is the report of the joint committee on lobbying:

The Joint Committee appointed to investigate the charges of lobbying and kindred practices respectfully report as follows:

Our duties as outlined in the resolution adopted by both branches of the General Assembly, are to investigate the charges of criminal lobbying, and of practices akin thereto, which injuriously affect wise legislation, and to report the evidence establishing either or both, and our findings and recommendations thereupon.

The resolution was printed in many papers in Georgia, and by its terms invited every citizen to offer testimony or lend assistance to the committee in the pursuance of its investigations. We have disregarded technical rules of evidence and have allowed witnesses to detail the vaguest rumors in the endeavor to trace through them direct testimony for submission to the General Assembly. Subpoenas have been served on every man whose name has been presented for examination from whom the committee had reasonable expectation of obtaining information, and he has been required to attend except where excused for providential cause or his examination would apparently be fruitless.

The offense of lobbying is dealt with in the Constitution of the State, article 1, section 2, paragraph 5, as follows:

"Lobbying. Lobbying is declared to be a crime, and the General Assembly shall enfore this provision by suitable penalties."

In pursuance of this provision of the constitution the legislature has dealt with this offense in the following language, as embodied in the 319th section of the Criminal Code:

"Lobbying Defined. Lobbying is any personal solicitation of a member of the General Assembly of this State, during a session thereof, by private interview or letter, or message, or other means and appliances, not addressed

solely to the judgment, to favor or oppose, or to vote for or against any bill, resolution, report or claim, pending or to be introduced in either branch thereof by any person who misrepresents the nature of his interest in the matter to such member, or who is employed for a consideration by a person or corporation interested in the passage or defeat of such bill, resolution, report or claim for the purpose of procuring the passage or defeat thereof. But this does not include such service as drafting petitions, bills or resolutions, attending to the taking of testimony, collating facts, preparing arguments and memorials, and submitting them orally or in writting to a committee or member of the General Assembly, and other services of like character, intended to reach the reason of the legislators."

The only evidence submitted to us tending to show the criminal offense is that of Representative W D. Mills. In brief he testifies that prior to the actual consideration of the child labor bill at the session of the General Assembly in 1902 he was stopped while about to enter the postoffice, adjoining the hall of the House of Representatives, by a smooth-faced young man of apparently between twenty-seven and thirty years of age. The time was about the hour when the House convened and members were passing to and fro from the hall. This stranger asked him if he were not Representative Mills and interrogated him as to his position on the child labor bill. Mr. Mills indicated his favorable attitude to the bill when the man stated to him it would be worth five hundred dollars to the representative to advocate the opposition to the measure. Mills told the stranger to wait a minute, intending to communicate the circumstances to the messenger or some older member of the House. The messenger testified that he remembers that Mr. Mills recounted to him such a conversation. When Mr Mills returned the stranger was gone, and an elderly gentleman who was leaning against

the wall opposite to the place where the conversation occurred stated that he thought the stranger was from Alabama. Mr. Mills never has seen before or since either the stranger or the elderly gentleman since the time of the occurrence, and knew the names of neither. The witness voted for the child labor bill.

Furthermore, when Mr. Mills was on the stand, he was asked whether he had stated to two gentlemen in the Kimball House lobby on the steps leading up to the first floor that he had been offered one or two hundred dollars for his vote for Mr. Mitchell in the speakership contest, and whether he had not stated to said gentlemen that two strangers had made to him this offer. Mr. Mills denied such an occurrence, but stated that any two men so reporting were "two liars." A witness, ex-Speaker John D. Little, stated that Mr. Mills had recounted to him and Speaker Morris such an occurrence. Mr. Mills rose during the delivery of this evidence by Mr. Little and stated that he remembered the occurrence, but that he said he had been offered a bet of one hundred dollars that he could get one hundred dollars to cast his vote a certain way in the Speakership race. Mr. Mills voted for the candidate of his original choice. Mr. Little testified that Mr. Mills was requested to point out the party making the offer, but upon searching for him in the lobby of the Kimball House, stated he could not find the party.

We refer to the stenographic report of the evidence for accuracy of detail in reference to the testimony briefly summarized above and bearing on the question of criminal lobbying.

The provision in the resolution requiring us to report on the existence of practices akin to lobbying, not technically comprehended in the term but injuriosly affecting wise legislation, leads us into a broad field, and one involving difficult moral and ethical questions. The great mass

of evidence we have heard has borne especially on this department of our duty.

Much testimony has been adduced showing that persons interested in legislation, both local and general, and agents and attorneys acting for them, have urged their causes upon members of the General Assembly. It is further established that it is the custom for parties not entitled thereto to enjoy the privileges of the floor of both Senate and House.

In the opinion of your committee it is an essential right that a citizen should be permitted without restraint to express to legislators his opinions on questions coming before them. Such a privilege is conducive to good legislation, and no member of the General Assembly (should ever be deaf to legitimate arguments or statements of facts which might elucidate questions upon which he must act Met with the absolute necessity of injuring some interests in nearly all legislation, it is difficult for the honest legislator to know what he should do. In this position isolation and wisdom are not necessarily allied. He needs all the aid he can get, and the more diligently he searches for light the more does he fit himself for the discharge of his high obligation. The merchant, farmer, railroad man, lawyer, scientist, artisan, may all be pressed into service, but constantly with the heed that his influence shall be limited to that justly created by the strength of his arguments. As much, if not more, damage is done by ignorance than by vice, and the scope of legislation being coextensive with human activity, the knowledge of those engaged in it should be commensurate with the subject.

What a man may do by himself he may do by agent or attorney, but we desire to emphasize our opinion that no man, by himself or by another, can properly endeavor to influence legislation by appeals to individual legislators or by appearance before committees without disclosing his interest and the capacity in which he appears. It is but right for the representative to weigh the advice in view of the position of the adviser. He should never be permitted to mistake for disinterested suggestion the argument of a partisan to be benefited. Such frankness is not only dictated by candor but, by formal action of the State Bar Association, has been enjoined upon its members.

Other questions are more or less distinctly presented by evidence bearing on certain influences claimed to be unduly exerted upon members of the General Assembly. Some of these are not within our province but peculiarly within that of the body creating this committee.

When conduct becomes a matter solely of propriety it must appeal to the individual alone.

When we pass beyond certain confines clearly set out it will be seen we reach a realm with which the conscience and not legislatures must deal.

Reporting upon another branch of the questions arising under the evidence, we submit that for many years a rule of the Senate has been practically as follows:

"Rule 101. No person shall be allowed to enter upon the floor of the Senate except the Senators and officers thereof, the officers and members of the House, the Governor of the State and the heads of the offices of the executive department, ex-Governor, judges of the supreme and superior courts in actual commission, ex-presiding officers of the Senate and House, and such others as the Senate may allow upon their commendation of the committee on the privileges of the floor."

Rule 173 of the House is practically the same.

We know that for many years it has been the unbroken custom to permit reputable persons on the floor of both branches of the General Assembly in violation of these rules. Save on rare occasions, we have never known exception to be taken to this extension of courtesy, and in

view of this long continued custom the presiding officer who enforced the rule would excite surprise, if not invite criticism in so doing. It has been as customary as holding up the hand to vote instead of "rising and standing until counted."

But we report that in our opinion the rules are wise ones. The presence of strangers upon the floor necessarily creates greater disorder by the audible conversation invited by them, and interferes with the clerks in the performance of their duties. It is not seemly that parties directly or indirectly interested in a measure under discussion should be mingling with those who must vote. The eagerness and anxiety of the visitor naturally manifests itself in external acts which may injuriously affect legislation, the due decorum of the legislative body is disturbed and its dignity lowered in the performance of its services and solemn duties. We recommend that these rules, 110 of the Senate and 173 of the House, be enforced, and that, so far as practicable, all persons interested in instant questions before either branch of the General Assemby be excluded pending their discussion and disposition.

We respectfully recommend that this report be spread upon the Journal, but that the evidence herewith presented be filed in the office of the Secretary of State,

Respectfully submitted,

H. W. HOPKINS, J. D. HARRELL, WM. H. DAVIS, Committee on part of Senate.

JOHN M. SLATON,
W. S. WEST,
J. D. HOWARD,
P. M. HAWES,
J. FERRIS CANN,
Committee on part of House.

The report was adopted.

Mr. Duncan, chairman of the Temperance Committee, submitted the following report:

#### Mr. President:

The Committee on Temperance has had under consideration the following House bill, which it instructs me to report with the recommendation that it do pass:

A bill to regulate the sale of liquors in cities in this State.

Respectfully submitted,

Duncan, 36th, Chairman.

Mr. Tisinger, chairman of the Special Judiciary Committee, submitted the following report:

### Mr President:

The Special Judiciary Committee has had under consideration the following House bills, which I am instructed to report back with the recommendation that the same do pass:

## By Mr. Duckett of Banks-

A bill to change and fix the time for holding the superior court of Banks county.

# By Mr. Burton of Franklin-

A bill to repeal an Act entitled an Act to create a board of commissioners of roads and revenues in the county of Franklin.

## By Mr. Burton of Franklin-

A bill to create a board of commissioners of roads and revenues for the county of Franklin, this State, etc.

Respectfully submitted,

B. L. TISINGER, Chairman.

Mr. Hopkins, chairman of the Appropriations Committee, made the following report:

### Mr. President:

The Committee on Appropriations has had under consideration the following bill of the House, which I am instructed to report back with the recommendation that it do pass:

A bill to amend the Appropriation Act in reference to the Soldiers' Home.

# H. W HOPKINS, Chairman.

Mr. Perry, chairman of the General Judiary Committee, made the following report:

### Mr. President:

The General Judiciary Committee has had under consideration the following bills of the House, which I am instructed to report back with the recommendation that they do pass:

A bill to prescribe the qualifications of jurors in superior, county and city courts, and to regulate the drawing of jurors. A bill to create a board of commissioners to make a roster of the Georgia soldiers, sailors and marines who served in the war between the States from 1861 to 1865, and for other purposes.

A bill to create the Confederate Memorial Board of Georgia, and for other purposes.

A bill to amend the clause of the Appropriation Act for the years 1903 and 1904 relative to republication of the Georgia Reports, and for other purposes.

H. H. PERRY, Chairman.

The following House bills were read the third time to be put upon their passage:

By Mr. Whitley-

A bill to create a Board of Health in this State.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 28, nays 0.

The bill having received the requisite constitutional majority was passed as amended.

Section 1. Be it enacted by the General Assemby of the State of Georgia and it is hereby enacted by authority of the same, That a board to be known as the State Board of Health be, and the same is, hereby established, and made one of the public institutions of the State. Said board shall consist of twelve (12) members, one of whom, the secretary, shall be a member by virtue of his office, and eleven shall be appointed by the Governor, one from each con-

gressional district, and a majority of whom shall be physicians.

Sec. 2. Be it further enacted, That the term of office of the members first appointed shall be so arranged that the term of two of the members shall expire on the first day of January of each year for six, and subsequent appointments shall be for the full term of six years, and any vacancy that may occur shall be filled by appointment by the Governor for the unexpired term.

Sec. 7. Be it further enacted, That at the first meeting of the State Board of Health it shall elect two officers—a president and secretary; the president shall be elected from the members composing the board, but no member shall be eligible to the office of secretary. The members of the board shall receive no salary, but each member shall receive \$5.00 per day and necessary traveling and hotel expenses when on actual duty, by order of the board with the approval of the Governor, or attending the meetings of the board. Meetings of the board shall be semi-annual, and at such place and time as a majority of the board may determine. The president of the board may call special meetings in case of emergency. A majority of the members shall constitute a quorum for the transaction of business.

### By Mr. Booth—

A bill to prescribe the qualification of jurors in the courts of this State.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 24, nays 0.

By Mr. Caswell-

A bill to create a board of commissioners to make a roster of the Confederate soldiers.

Report of the committee was agreed to.

This being an appropriation, the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.—

Allen, Jordan, Roberts. Atkinson, Lee. Skelton, Christie, Ledford, Smith, Comas, McClure. Snead. Crumbley, McLean, Stevens, Dodd, McMichael, Sweat, Davis, Merritt, Symons, Duncan of 10th, Middlebrooks, Taylor, Golden. Turner, Moore. Harrell, Park, Van Buren, Hightower, Reid. Williams, Hopkins,

Those not voting were Messrs.—

Clark, Lewis, Tisinger,
Clements, Mathews, Worsham,
Duncan of 36th, Perry, Mr. President.
Hudson.

Ayes 34, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Steed-

A bill to provide for the removal of obstructions from the streams of Carroll county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite constitutional majority was passed as amended, by striking out all of sections 2 and 3 and substituting therefor the following:

Section 2. Be it further enacted by the authority aforesaid, That should any landowner in said county fail or refuse to remove the obstructions, as provided in section 1 thereof, by the first day of October of each year from streams running through his land or from his half of streams dividing his land from lands of another, then, and in that event, the county commissioners on their own motion, or at the instance of any citizen of the county, shall cause said obstructions to be moved in accordance with the provisions of section 1 hereof, under the direction of one of their number, or of the sheriff, deputy sheriff or any lawful constable or road overseer of said county, all expenses and costs to be taxed against the defaulting landowner; said county commissioners are hereby empowered after said obstructions have been removed, and the expenses thereof ascertained to issue a fi. fa. for said costs and expenses against said defaulting landowner, which fi. fa. may be enforced as tax fi. fas., and shall be a lien upon all the property of the defaulting landowner superior to all other liens except liens for taxes.

By Mr. Roper-

A bill to remove obstructions from the streams of Dawson county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite constitutional ma-

jority was passed as amended, by striking out all of sections 2 and 3 and substituting therefor the following:

Be it further enacted by the authority afore-Section 2. said, That should any landowner in said county fail or refuse to remove the obstructions as provided in section 1 hereof by the first day of September of each year from streams running through his lands or from his half of streams dividing his lands from lands of another, then, and in that event, the county board of roads and revenues on their own motion, or at the instance of any citizen of the county, shall cause said obstructions to be removed in accordance with the provisions of section 1 hereof, under the direction of one of their number, or of the sheriff, deputy sheriff, or any lawful constable or road overseer of said county, all expenses and costs to be taxed against the defaulting landowner; said county board of roads and revenues are hereby empowered after said obstructions have been removed, and the expenses thereof ascertained, to issue fi. fa. for said costs and expenses against said defaulting landowner, which f. fa. may be enforced as tax fi. fas., and shall be a lien upon all the property of the defaulting landowner superior to all other liens except liens for taxes.

### By Mr. Edwards-

A bill to amend the Act establishing the dispensary in Buena Vista, Marion county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 24, nays 0.

By Mr. Pate—

A bill to incorporate the Pleasant Valley school district.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 24, nays 0.

The bill having received the requisite constitutional majority was passed as amended, by striking out all of section 8 of the bill.

### By Mr. Fields-

A bill to incorporate the Mount Vernon school district.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 24, nays 0.

The bill having received the requisite constitutional majority was passed as amended, by striking out sections 9, 10 and 11 of the bill.

# By Mr. Fields-

A bill to incorporate the Oakland school district in Dooly county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 26, nays 0.

The bill having received the requisite constitutional majority was passed as amended, by striking out sections 9, 10 and 11 of the bill.

By Mr. Fields—

A bill to incorporate the Dooling school district in Dooly county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 26, nays 0.

The bill having received the requisite constitutional majority was passed as amended by striking out sections 9, 10 and 11 of the bill.

By Mr. Fields-

A bill to incorporate the Snow school district in Dooly county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 25, nays 0.

The bill having received the requisite constitutional majority was passed as amended by strking out sections 9, 10 and 11 of the bill.

By Mr. Reid-

A bill to create a new charter for the town of Palmetto.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 32, nays 0.

By Mr. Morris-

A bill to create a memorial board for the State of Georgia.

Report of the committee was agreed to.

This being an appropriation the ayes and nays were ordered and the vote is as follows:

Those voting in the affirmative were Messrs.—

Atkinson, Hudson, Skelton, Christie, Jordan, Smith, ·Clark, Lee. Snead. McClure, Stevens, Comas. Crumbley, McLean, Sweat, Dodd, McMichael, Symons, Davis. Merritt, Taylor, Duncan of 10th, Middlebrooks, Tisinger. Duncan of 36th, Moore, Van Buren, Golden, Park, Williams, Worsham, Harrell, Perry, Roberts, Hopkins,

Those not voting were Messrs.—

Allen, Ledford, Reid,
Clements, Lewis, Turner,
Hightower, Mathews, Mr. President,

Ayes 35, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Holder, Hardeman and Shackelford-

A bill to amend the appropriation bill of 1902-3 relative to Soldiers' Home.

Report of the committee was agreed to.

This being an appropriation the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.—

Atkinson, Hudson, Smith, Jordan, Snead, Clark, Lee. Stevens, Clements, McClure, Sweat, Comas, McLean, Symons, Crumbley, McMichael, Taylor, Dodd, Merritt, Tisinger, Davis, Middlebrooks, Van Buren, Duncan of 10th, Duncan of 36th. Moore, Williams, Golden, Perry. Worsham, Harrell. Roberts.

Those not voting were Messrs.—

Allen, Ledford, Reid,
Christie, Lewis, Skelton,
Hightower, Mathews, Turner,
Hopkins, Park, Mr. President.

Ayes 35, nays 0.

By Mr. Slaton-

A resolution to appropriate \$250.00 to pay expenses of the investigating committee on lobbying.

Report of the committee was agreed to.

This being an appropriation the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.—

Atkinson, Comas, Duncan of 10th, Christie, Crumbley, Duncan of 36th, Clark, Davis, Golden, Harrell, McMichael, Stevens, Hightower, Merritt. Sweat. Hudson, Moore, Symons, Jordan. Park, Turner, Ledford. Ferry, Van Buren, Mathews, Roberts, Williams, McClure. Smith, Worsham, McLean, Snead,

McLean, Shead,

#### Those not voting were Messrs.—

Allen, Lee, Skelton,
Clements, Lewis, Taylor,
Dodd, Middlebrooks, Tisinger,
Hopkins, Reid, Mr. President.

Ayes 32, pays 0.

### By Mr. Stovall—

Jordan,

A bill to appropriate money to the Winnie Davis Memorial Board for the completion of the Winnie Davis monument.

Report of the committee was agreed to.

This being an appropriation the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.-

Smith. Lee, Atkinson, Snead, Ledford, Christie. Stevens. McClure, Clark, Sweat, McLean, Comas, Symons, McMichael, Crumbley, Taylor, Merritt, Duncan of 10th, Turner, Middlebrooks, Duncan of 36th, Van Buren, Moore, Golden, Williams, Perry, Hopkins, Worsham, Roberts. Hudson,

Those not voting were Messrs.—

Allen, Hightower, Reid,
Clements, Lewis, Skelton,
Dodd, Mathews, Tisinger,
Davis, Park, Mr. President.

Harrell,

Ayes 31, nays 0.

#### By Mr. Adams—

A bill to make it unlawful to secure money or other thing of value to perform services and fail to do same.

Report of the committee was agreed to.

Upon the passage of the bill the ayes and nays were ordered and the vote is as follows:

Those voting in the affirmative were Messrs.—

Allen, Hudson, Skelton, Atkinson, Jordan. Smith, Christie, McClure. Snead. Clark, McLean, Sweat, McMichael, Clements, Symons, Comas, Merritt, Tisinger, Davis, Middlebrooks, Turner, Duncan of 10th, Van Buren, Moore, Duncan of 36th, Reid, Williams, Harrell, Roberts, Worsham,

Those voting in the negative were Messrs.—

Crumbley, Lee, Perry,
Golden, Ledford, Stevens,

Those not voting were Messrs.—

Dodd, Lewis. Taylor, Hightower, Mathews, Mr. President.

Hopkins, Park,

Ayes 32, nays 6.

The bill having received the requisite constitutional majority was passed.

### By Mr. Glenn—

A resolution endorsing the Brownlow bill now before the Congress of the U S. relative to roads.

Report of the committee was agreed to. This resolution was adopted.

The following resolution was read and adopted.

### By Mr. Davis—

A resolution setting the hour of 4 o'clock this afternoon as the hour of adjournment.

The following message was received from the House through Mr. Boifeuillet, the clerk thereof:

#### Mr. President:

The House has passed as amended by the requisite constitutional majority the following bill of the Senate, to wit:

A bill to provide for the deduction of franchises due counties, cities, towns, etc., of all amounts paid under agreement therefor, and for other purposes.

A bill to amend Sec. 2166 of the Code of 1895.

A bill to provide for protection of officers of State Penitentiary.

The following Senate resolution was also passed as amended:

A resolution to appoint a committee of three from the Senate and five from the House to consider the school laws of this State.

The house has also passed by the requisite constitutional majority the following Senate bills, to wit:

A bill to amend Sec. 4868, Vol. 2, of the Code of 1895.

A bill to amend Sec. 1908, Vol. 2, of the Code of 1895.

A bill to amend an act creating the city court of Baxley.

A bill to amend an act to amend sub-Sec. 11 of Sec. 4082, Vol. 2, of the Code.

A bill to require persons or corporations to pay taxes in counties in which they are required to be returned.

A bill to provide in what county corporations, etc., who own property on the county line, shall return said property for taxation.

The House has concurred in the Senate amendments to the following bills, to wit:

A bill to amend Sec. 221, Vol. 3, of the Code.

A bill to amend the charter of the town of Acworth.

A bill to incorporate the Leonard school district.

The House has refused to concur in Senate amendment No. 1 and concurred in Senate amendment No. 2 to the following bill:

A bill to amend section 453 of the Code which defines vagrancy.

Mr. Symons, chairman of the Committee on Enrollment, submitted the following report:

Mr. President:

The Enrollment Committee report as duly enrolled, and ready for the signatures of the President of the Senate and Speaker of the House, the following resolution, to wit:

A resolution allowing the State Bank Examiner to employ a stenographer.

Respectfully submitted,

W F Symons, Chairman.

The following communication was read in the Senate:

ATLANTA, GA., August 12, 1903.

Hon. Clark Howell, President of the Senate:

My Dear Sir:—The Prison Commission has, through one of its officers, examined into all the facts relating to the punishment of convict Mamie DeCris, by the warden at the State Farm. Every witness who knew any facts in regard thereto was subjected to the most searching examination, and his testimony, under oath, reported stenographically.

The reporter informs us that his notes, comprising of more than thirty thousand words, cannot be transcribed before Friday next, hence it will be impossible for us to lay this evidence before the General Assembly, which we very much regret. Nor indeed will we be able to conclude ourselves what is best to be done until we can digest this evidence.

We wish, however, to assure the General Assembly in this way, that after we are thoroughly acquainted with all the facts, such action will be taken by the commission as may be proper and just.

With sentiments of high esteem, we are, my dear sir,

Respectfully yours,

THE PRISON COMMISSION OF GEORGIA,

Jos. I. Turner, Chairman.

The following bills were read the third time to be put upon their passage:

By Messrs. Cann, Stovall and Harden-

A bill to regulate the sale of liquors in the cities of this State.

The report of the committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Adams—

A bill to amend the Act reorganizing the military forces of this State.

The report of the committee was agreed to.

Upon the passage of the bill the ayes were 25, nays 0.

The bill having received the requisite constitutional majority was passed.

The following Senate bills were taken up with House amendments:

By. Mr. Lee—

A bill for the protection of the officers and employees in the Georgia penitentiary.

The amendment was concurred in.

By Mr. Howell-

A bill to amend section 2166 of the Code.

The amendment was concurred in.

By Mr. Davis—

A bill to provide for the deduction of franchises to counties, cities and towns.

The amendment was concurred in.

By Messrs Comas and Dodd-

A resolution to appoint a committee to act with the State School Commission to consider the present school laws.

This amendment was concurred in.

The committee is Senators Comas, Dodd and McMichael.

By Mr. Hopkins-

A bill to allow administrators, guardians, etc., who are required to give bond to charge for the same.

House substitute concurred in.

By Mr. Van Buren—

A bill to amend section 2171 of the Code relative to the general directions of railroads.

House amendment concurred in.

The following House bill was taken up with Senate amendment which the House refuses to concur in:

By Mr. Calvin-

A bill to amend section 453 of the Code, relative to the vagrancy law.

The House refuses to concur in amendment No. 1. The Senate insists on its amendment.

Mr. Symons, Chairman of the Committee on Enrollment, submitted the following report:

Mr. President:

The Enrollment Committee report as duly enrolled, signed by the President of the Senate and Speaker of the House, and delived to the Governor the following resolution, to wit:

A resolution allowing the State Bank Examiner to employ a stenographer.

Respectfully submitted,

W. F. Symons, Chairman.

The following House bills were read the third time to be put upon their passage:

By Mr. Yates—

A bill to prohibit hogs from running at large.

The report of the committee was agreed to.

Upon the passage of the bill the ayes were 23, nays 2.

The bill having received the requisite constitutional majority was passed.

By Messrs. Stovall and Underwood-

A bill to amend the general appropriation act relative to the publication of Georgia Reports, etc.

The report of the committee was agreed to.

Upon the passage of the bill the ayes were 25, nays 0.

The bill having received the requisite constitutional majority was passed as amended by substituting the word "republished" for the word "republishing" in the 6th line of section 1.

By Messrs. Johnson and Singletary—

A bill to regulate the carrying of concealed weapons.

This bill was recommitted to the General Judiciary Committee.

The President announced the appointment of Senators Perry and Mathews as the Senate Committee to investigate the Torrens land title system as per bill recently enacted by the General Assembly. Senator Turner was substituted for Senator Dodd on the committee to investigate the school laws with the State School Commission.

The following House bills were read the third time tobe put upon their passage:

### By Mr. Burton-

A bill to repeal an Act creating a board of county commissioners for Franklin county.

The report of the committee was agreed to.

Upon the passage of the bill the ayes were 24, nays 0.

The bill having received the requisite constitutional majority was passed.

This bill was reconsidered and recommitted to the Special Judiciary Committee.

The bill by Mr. Burton, creating a new commission of roads and revenues for Franklin county was recommitted to the Special Judiciary Committee.

# By Mr. Morris—

A bill to incorporate the Mount Zion school district, in Cobb county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite constitutional majority was passed as amended, by striking out sections 9, 10 and 11, amend by adding the following as section 9:

Section 9. The provisions of this Act shall not become operative until submitted to the qualified voters of the district and shall have been ratified by two-thirds of the qualified voters of the said district; the matter shall be submitted to the qualified voters by the ordinary of said county, who shall give notice of the election to be held in the bounds of the proposed school district by advertising the date of said election once a week for four weeks in the same paper in Cobb county in which the sheriff of Cobb county publishes his advertisements, and by having a notice posted in three public places in said district. such election only qualified voters, residents of said proposed district, shall be allowed or qualified to vote, and those voters qualified to vote at the last general election, and residents in said district, shall be qualified electors for purpose of this election. The elections shall be held in such precincts in said proposed district as the ordinary may prescribe, and if there are not sufficient precincts within said proposed district the ordinary may prescribe additional places, all of which shall be set out in the advertisement of said election.

The ordinary of Cobb county shall consolidate the vote and declare the result.

Amend by renumbering sections to correspond with above amendments.

### By Mr. Shannon-

A bill to abolish the city court of Forsyth.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 24, nays 0.

### By Mr. Brown—

A bill to authorize the mayor and council of Fort Valley to issue bonds.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 24, nays 0.

The bill having received the requisite constitutional majority was passed.

### By Mr. Duckett-

A bill to change and fix the time of holding the superior court in Banks county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 25, nays 0.

The bill having received the requisite constitutional majority was passed.

### By Mr. McHenry-

A bill to amend the charter of East Rome.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 26, nays 0.

The bill having received the requisite constitutional majority was passed.

# By Mr. Cann-

A bill to enlarge the powers of the police court of Savannah.

Report of the committe was agreed to.

Upon the passage of the bill the ayes were 25, nays 0.

The bill having received the requisite constitutional majority was passed.

### By Mr. Howard-

A bill to provide for a change in the present site of the Presbyterian church at Milledgeville.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 24, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Steed and Hixon-

A bill to create the office of road commission for Carroll county.

Report of the committe was agreed to.

Upon the passage of the bill the ayes were 26, nays 0.

The bill having received the requisite constitutional majority was passed.

# By Mr. Cromartie-

A bill to amend the Act establishing a system of public schools in Hazelhurst.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 25, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Steed and Hixon—

A bill to create a board of commissioners of roads and revenues for Carroll county.

Report of the committee was agreed to.

Up on the passage of the bill the ayes were 25, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Alford-

A bill to create a school district in Dolu in Worth county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 23, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. English—

A bill to amend the charter of the town of Norwood.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 25, nays 0.

By Mr. Butts—

A bill to make it unlawful to kill any cow, bull, steer, etc., in the 25th district of Glynn county.

Report of committe was agreed to.

Upon the passage of the bill the ayes were 23, nays 0.

The bill having received the requisite constitutional majority was passed.

On motion the Senate adjourned until 3:30 this afternoon.

The Senate met pursuant to adjournment at 3:30, and was called to order by the President.

Mr. Davis, chairman of the Finance Committee, submitted the following report:

#### Mr. President:

Your committee has had under consideration House resolution No. 134, a resolution to require the Joint Committee on Finance to make a complete investigation of the office of the Secretary of State, School Commissioner, Commissioner of Agriculture, Prison Commission, Pension Commission, etc., and instruct me to report the same back with the following recommendation: That the Senate recede from its substitute except in so far as it repeals that section of the resolution which appoints four additional members of the investigating committee from the House.

Respectfully submitted.

WM. H. DAVIS, Chairman.

The following House resolution was taken up with Senate amendment in which the House refuses to concur:

### By Mr Hall—

A resolution appointing a joint committee from the House and Senate to investigate the books of the different departments of State.

Mr. Davis moved that the Senate refuse to recede from its amendment.

Mr. Harrell moved that the resolution be tabled on this motion; the ayes and nays were ordered and the vote is as follows:

Those voting in the affirmative were Messrs.—

Allen,	Hightower,	Park,
Crumbley,	Lewis,	Symons,
Dodd,	McClure,	Tisinger,
Duncan of 10th,	McLean,	Van Buren,
Harrell,	Merritt,	Worsham,

Those voting in the negative were Messrs.—

Atkinson,	Lee.	Reid,
Comas.	Ledford,	Smith,
Davis,	Mathews,	Snead,
Hopkins,	Middlebrooks,	Stevens,
Hudson,	Moore,	Turner,
Jordan,		•

Those not voting were Messrs.—

Christie,	McMichael,	Sweat,
Clark,	Perry,	Taylor,
Clements,	Roberts,	Williams,
Duncan of 36th,	Skelton,	Mr. President,
Golden		

Ayes 15, nayes 16.

The motion was lost.

On Mr. Davis' motion that the Senate recede and a conference committee be appointed, the ayes and mays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.—

Atkinson,	Lee.	Reid,
Christie,	Ledford,	Smith,
Comas,	Mathews,	Snead,
Davis,	McMichael,	Stevens,
Golden,	Middlebrooks,	Sweat,
Hudson,	Moore,	Symons,
Jordan,	Park,	Turner,

Those voting in the negative were Messrs.—

Crumbley,	Hightower,	McLean,
Dodd,	Hopkins,	Merritt,
Duncan of 10th,	Lewis,	Tisinger,
Harrell,	McClure,	Van Buren,

Those not voting were Messrs.—

Allen,	Perry,	Williams.
Clark,	Roberts,	Worsham.
Clements,	Skelton,	Mr. President,
Duncan of 36th,	Taylor,	

Aves 21, nays 14.

The motion prevailed, committee on part of Senate, Mathews, Smith and Harrell.

The following message was received from the House through Mr. Boifeuillet, the clerk thereof:

# Mr. President:

The House has passed by the requisite constitutional majority the following bills of the Senate, to-wit:

A bill to amend an Act to amend the charter of the town of Georgetown.

A bill to secure to the several counties of this State the public school fund to which they are entitled.

A bill to regulate the law of year's support.

A bill to amend Sec. 985, Vol. 1, of the Code.

The House has receded from its position in nonconcurring in the Senate amendment to the following bill, to wit:

A bill to amend the section of the Code which defines vagrancy

The House concurs in the Senate amendments to the following bill, to wit:

By Mr. Steed, of Carroll—

A bill to remove obstructions from the streams of Carroll county.

Also, a resolution providing for the Auditing Committee to approve the accounts of three extra pages and one assistant doorkeeper for the Senate.

The house has also concurred in the Senate amendments to the substitute offered by the House to the following bill of the Senate, to wit:

A bill to authorize the Prison Commission to hire the labor of the felony convicts of this State after expiration of the present contracts for a period of five years.

House bill No. 188 was made special order for the third day of next session.

The following Senate bill was taken up with House substitute and same was concurred in:

By Mr. Sweat—

A bill to make it unlawful to adulterate turpentine.

The following message was received from the House through Mr. Boifeuillet, the clerk thereof:

#### Mr. President:

The House insists on its position on House resolution No. 134 and has appointed the following conference committee to act with a similar committee of the Senate: Messrs. Hall, Owen, McHenry.

#### Mr. President:

The General Judiciary Committee has had under consideration House bill No. 5, by Mr. Harden of Chatham, and instruct me to report the same to the Senate with recommendation that it do pass as amended.

### H. W HOPKINS, Vice-Chairman.

Th following House bills were read third time to be put upon their passage:

# By Mr. Bush-

A bill to amend the act establishing the dispensary in Colquitt.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 31, nays 0.

The bill having received the requisite constitutional majority was passed.

### By Mr. Butts-

A bill to amend the charter of the city of Brunswick.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 25, nays 0.

The bill having received the requisite constitutional majority was passed.

### By Messrs. Holder and Hardeman -

A bill to amend the act creating the Board of Commissions of Roads and Revenues for Jackson county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite constitutional majority was passed.

# By Mr. Paulk-

A bill to incorporate the town of Mystic in Irwin county

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 25, nays 0.

By Mr. Davis-

A bill to repeal an act maintaining public gates from the residence of Adam Davenport to the residence of W B. G. Rogers.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 26, nays 0.

The bill having received the requisite constitutional majority was passed.

### By Mr. McBride-

A bill to amend an act to prohibit the sale of intoxicating liquors in Lee county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 25, nays 0.

The bill having received the requisite constitutional majority was passed.

# By Mr. Franklin-

A bill to amend the charter of the town of Tenuille.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 28, nays 0.

By Mr. Burton—

A bill to establish the Canon public school district in Franklin county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 26, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Wellborn-

A bill to protect the fish in Notla river in Union county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Duckett, Holder and Hardeman.

A bill to amend the charter of the town of Maysville.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

By Mr. Bowen-

A bill to incorporate the Pineview school district in Wilcox county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 26, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Dozier and Ridley-

A bill to amend the Act establishing the system of public schools in the city of LaGrange.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Stewart and Buchannon-

A bill to establish a public school system in the town of Arlington.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 26, nays 0.

By Mr. Mitchell-

A bill to amend the Act incorporating the town of Boston.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Harden-

A bill to revise the game laws of this State.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite constitutional majority was passed as amended. By striking section 2, and inserting the following as section 2:

Section 2. Be it further enacted, That it shall be unlawful to shoot, kill, ensuare or trap, whether over baited fields or not, more than forty doves in any one day.

By striking out all of the provisions at the end of sec. 3.

By adding at the end of section 4 the words "during the hunting season."

Amend by striking out lines 12, 13, 14 and 15 of the bill. Amend by striking section 10, and substituting the following as section 10:

"Section 10. Be it further enacted by the authority aforesaid, That whenever fifty freeholders of any county shall by petition so request, the judge of the superior court shall appoint by order upon the minutes of the court some citizen of said county who is a qualified voter thereof, as game warden for said county, which appointment shall be for two years or until his successor is appointed and qualified, said warden shall qualify by subscribing before some officer authorized to administer oaths as follows: do swear that I will faithfully and diligently discharge the duties of game warden, for the county of \_\_\_\_so, help me God. Which oath shall be filed in the clerk's office of said county. Said warden may be removed from office at any time by said judge, upon complaint being made and satisfactory proof submitted of failure to discharge his official duties. Said warden shall appoint in each militia district in the county for which he is warden a deputy game warden, who shall be a qualified voter thereof, and who shall qualify in the same manner as the game warden. The oath of office of warden and deputy shall be filed in the clerk's office of said county; said deputy shall be appointed for two years, but may be removed at any time by Said deputy warden shall be charged genersaid warden. ally with the duty of enforcing the laws for the protection of game, birds or animals, and such other birds as are protected by the laws of this State, and also the laws for the protection of fish. They are empowered to make arrests of all persons found in the act of violating said laws and to exercise the same ministerial duties as sheriff in the arrest of all persons charged by one with the violation of said law. Said warden and deputy shall receive the same costs and fees as sheriff of this State do for similar service in the arrest and trial of persons convicted under the provisions of this Act, and in addition thereto one-half of all the fines

imposed in such cases, when paid by the defendant; provided the warden shall satisfy the judge trying the same that the detention or conviction in such cases is principally the result of official diligence on his part. All vacancies in the office of warden shall be filled by the judge of the superior court as provided in this Act, and vacancies for deputy warden by said warden." Amend caption after the word "fish" in third line by inserting "To provide for the appointment of game warden, deputy game warden in each county of this State, to define their duties and provide compensation."

### By Mr. Fussell-

A bill to authorize the town council of Cusseta to issuebonds.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite constitutional majority was passed.

### By Mr. Spence-

A bill to incorporate the Waresboro school district in Ware county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 26, nays 0.

By Mr. Alford-

A bill to incorporate the town of Isabella in Worth county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite constitutional majority was passed.

### By Mr. Buchannon—

A bill to amend the charter of the city of Blakely.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite constitutional majority was passed.

The following message was received from the House through Mr. Boifeullet, the clerk thereof:

#### Mr. President:

The House has adopted the following joint resolution, and invite the concurrence of the Senate in the same:

A resolution returning House bill 455 to the Governor without amendment.

The House has adopted the Senate substitute to the following House bill:

A bill to amend an Act to create a dispensary in Buena Vista, Marion county, Ga., and for other purposes.

The following resolution was read and adopted:

## By Mr. McMichael—

A resolution appointing a committee of four from the Senate and six from the House to visit the State University during vacation.

Committee, McMichael, Middlebrooks, Ledford, Park.

At 4:30 the Senate went into executive session.

The following message was received from the House through Mr. Boifeuillet, the clerk thereof:

## Mr. President:

The House has passed by the requisite constitutional majority as amended, the following bill of the Senate, to wit:

A bill to provide for the registration of commercial fertilizers.

The House has adopted the following Senate resolutions:

A resolution condemning the whipping of women at the Prison Farm.

Also, a resolution appointing a committee to visit the University at commencement.

The House has concurred in the Senate amendments to the following bill:

A bill to amend the Appropriation Act which relates to republication of Georgia Reports.

The following resolution was read and unanimously adopted:

Resolved by the Schate—

That the thanks of the entire State are due to the able committee which has so thoroughly investigated the rumors and sensational newspaper charges, involving the integrity of the present General Assembly;

That this committee has fully and fearlessly discharged its duty, and in calling upon all persons making charges or circulating rumors, for verification of these charges, or for the sources of the rumors, has demonstrated its determination to get the truth, and its report fully demonstrates its full and fearless investigation;

That the Senate endorses the report as wise, able and fair; That in dispelling, by the clearest and most conclusive demonstration, the suspicions unjustly raised, and injected into the minds of the people of the State as to the honesty of their representatives in their official work, it has rendered a public service of great value to the State.

MATHEWS, 23d. LEE, 44th.

The following House bill was read the third time to be put upon its passage:

By Mr. Aikin—

A bill to allow defendants in certain trover cases to plead set-offs in certain cases.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 26, nays 0.

The bill having received the requisite constitutional majority was passed.

## By Mr. Field-

A bill to incorporate the Oak Grove school district in Dooly county.

Report of the committee was agreed to.

Upon the passage of the bill the ayes were 26, nays 0.

The bill having received the requisite constitutional majority was passed.

The following Senate bill was taken up with House substitute:

## By Mr. Hopkins—

A bill to permit and authorize defendants in action now pending or that may hereafter be brought by the State to recover certain lands, plead as defense thereto possession of said land.

Substitute was concurred in as amended. Amendments are: Amend section 3, line 4, by striking the word "10" and inserting "30"; also amend section 3, line 12, by striking the word "10" and inserting "30"; also amend section 4, line 6, by striking "10" and inserting "30."

The following Senate bill was taken up with House amendment and amendment was concurred in:

By Mr. Jordan-

A bill to provide for the registration and sale of commercial fertilizers in this State.

Mr. Perry, chairman of the General Judiciary Committee, made the following report:

Mr. President:

The General Judiciary Committee has had under consideration the following bill of the House, which it instructs me to report back with the recommendation that it do pass:

A bill to allow defendants in trover cases to plead setoffs or to recoup in damages where suits have been brought to recover possession of personal property, and for other purposes.

H. H. PERRY, Chairman.

The following House resolution was concurred in:

By Mr. Fields-

A resolution returning House bill No. 455 to the Governor.

The following resolution was read and adopted:

By Mr. Jordan—

A resolution authorizing the secretary to have brass railing run behind the seats in the Senate.

By Mr. Hopkins-

A resolution extending the thanks of the Senate to Hon.

C. S. Northen for furnishing Lithia water during this session.

## By Mr. Park-

A resolution extending the thanks of the Senate to Mr. W S. Gentry and W. B. Roberts for the use of the telephone.

## Mr. President:

The Conference Committee of the House and Senate upon House Resolution No. 134 submits the following report:

We recommend that the House amend its resolution by striking out of the last line the word "four" and inserting the word "one," and that the Senate recede from its substitute when the resolution is so amended.

Respectfully submitted,

H. A. MATHEWS, J. RICE SMITH, Committee on part of Senate.

Jos. H. HALL,
E. M. OWEN,
W S. MCHENRY,
Committee on part of House.

The following message was received from the House through Mr. Boifeuillet, the clerk thereof:

### Mr. President:

The House has passed as amended by the requisite con-

stitutional majority the following bills of the Senate, to wit:

A bill to amend section 4793 of the Code.

The House has passed by the requisite constitutional majority the following bill of the Senate, to wit:

A bill to amend act establishing a dispensary at Hogansville.

The House has adopted the following joint resolution and invite the concurrence of the Senate in the same:

A resolution providing for adjournment of the General Assembly at 6.30 o'clock.

The following resolution was read and adopted:

## By Messrs. Mathews and Lee—

A resolution extending thanks to the committee on lobbying.

The following Senate bill was taken up with House amendment:

## By Mr. McMichael-

A bill to amend section 4793 of the Code.

The House amendment was concurred in.

The following resolution was adopted:

# By Mr. Howell of Meriwether . .

A resolution adjourning the General Assembly at 6:30 this evening.

The following message was received from the House through Mr. Boifeuillet, the clerk thereof:

### Mr. President:

The House insists on its non-concurrence to House resolution 134 and proposes a new amendment as per report of conference committee.

The following House resolution was taken up with amendment:

## By Mr. Hall-

A resolution to appoint a committee to investigate the different departments of State.

House amendment was concurred in.

The following resolution was unanimously adopted:

## By Mr. Hudson-

A resolution extending the thanks of the Senate to Hon-Clark Howell, President of the Senate, for his courteous and able manner of presiding during the present session.

The following message was received from the House, through Mr. Boifeuillet, the clerk thereof:

### Mr. President:

The House has adopted the following resolution:

A resolution notifying the Senate that the House is ready to adjourn sine die.

The following message was received from the House, through Mr. Boifeuillet, the clerk thereof:

## Mr. President:

The House has concurred in the Senate amendments to the following House bills:

A bill to incorporate the Mount Zion school district in Cobb county.

Also, a bill to provide for removal of obstructions of all kinds, other than dams now erected, from streams of Dawson county.

Also, a bill to revise the game laws of the State.

Also, a bill to amend the clause of the Appropriation Act which relates to the republication of Georgia Reports.

Also, a bill to incorporate the Oakland school district in Dooly county

Also, a bill to incorporate the Pleasant Valley school district in Dooly county.

Also, a bill to incorporate the Mount Vernon school district in Dooly county.

Also, a bill to incorporate the Snow school district in Dooly county.

Also, a bill to incorporate the Dooling school district in Dooly county.

The House has concurred in the Senate amendment to the House substitute for the following Senate bill:

A bill to permit and authorize the decendants in actions

now pending, or that may hereafter be brought by the State for recovery of certain lots of land, to plead as defense thereto, possession of said lands for the period of twenty years.

The House has passed by the requisite constitutional majority the following bills of the Senate, to wit:

A bill to cede jurisdiction to the United States over certain land in Gainesville for courthouse, postoffice or other government buildings.

Also, a bill to amend section 982, volume 1 of the Code of 1895.

Also, a bill to repeal section 233, volume 1 of the Political Code, and for other purposes.

Also, a bill to require ordinaries to keep a record of all pensioners in their county that are paid by the State.

Mr. Symons, chairman of the Enrolling Committee, submitted the following report:

## Mr. President:

The Enrolling Committee has examined and found properly enrolled and ready for the signatures of the President of the Senate and Speaker of the House the following Acts, to wit:

An Act to authorize the Governor and Attorney-General to settle any litigation claimed by the State.

Also, an Act to regulate the sale of stocks of goods when sold in bulk.

Also, an Act to provide for the appointment of a game warden for Thomas county

Also, an Act to amend section 4793 of the Code.

Also, an Act to prohibit the adulteration of spirits turpentine in this State.

Also, an Act to amend article 7, section 1 of the Constitution relative to taxation.

Also, an Act to authorize administrators, executors and trustees to charge for making bond.

Also, an Act to amend an Act establishing a new charter for Gainesville.

Also, an Act to amend an Act establishing a dispensary at Hogansville.

Also, an Act to amend an Act creating the Prison Commission for the State of Georgia.

Also, an Act to alter and amend paragraph 1, article 8, section 4 of the Constitution.

Also, an Act to protect the officers and employees at the penitentiary of this State.

An Act to amend section 4868 of the Code.

Also, an Act to provide in which county manufacturers shall pay their taxes when it has property in one or more.

An Act to amend section 982 of the Code providing that not more that two banks shall be appointed State depositories in cities of 6,500 inhabitants.

An Act to repeal section 283 of the Code.

An Act to require taxes to be paid in the county where same is returned for tax.

An Act to provide new charter for the town of Flowery Branch.

An Act to provide for the reduction of franchise tax in certain cases.

An Act to amend section 2166 of the Code.

An Act to provide for the testing of illuminating oils.

An Act to create a new charter for the town of Nichols.

Also, an Act to require the ordinaries to keep a list of the pensioners.

An Act to amend sub-section 4082 of the Code.

Also, an Act to prohibit the hunting in the county of Thomas without the consent of the owner.

Also, an Act to regulate the law of year's support.

An Act to amend the Act establishing the city court of Baxley.

An Act to amend section 1908 of the Code relative to banks.

An Act to amend section 985 of the Code.

An Act to amend section 982 of the Code by adding the town of Jesup to the list of State depositories.

An Act to amend an Act incorporating the town of Meigs.

Also, an Act to secure to the several counties of this State the public school fund to which they are entitled.

Also, an Act to cede jurisdiction to the United States to certain lands in Gainesville.

Also, an Act to regulate the sale of commercial fertilizers in bulk.

An Act to amend the charter of Georgetown.

An Act to amend section 2171 of the Code.

Also, the following resolutions, to wit:

A resolution for the relief of J. K. McAfee, J. R. Grice and W. H. Raley.

A resolution to appoint a committee to act with the State School Commission relative to changes in school laws.

A resolution condemning the whipping of female convicts.

A resolution creating a committeee to investigate the smoke of mines at Ducktown.

A resolution appointing a committee to investigate lobbying.

A resolution relative to certain claims of the Sims family against the Northeastern railroad.

A resolution to appoint a committee to visit the State University during commencement 1904.

A resolution directing the State Printer to print and bind certain Georgia Reports.

Respectfully submitted.

W F Symons, Chairman.

Mr. Symons, chairman of the Enrolling Committee, submitted the following report:

## Mr. President:

The Committee on Enrolling have examined and found duly enrolled and signed by the President of the Senate and Speaker of the House and ready for transmission to Governor the following acts, to wit:

An Act to authorize the Governor and Attorney-General to settle any litigation claimed by the State.

Also, an Act to regulate the sale of stocks of goods in bulk.

Also, an Act to provide for the appointment of a game warden in Thomas county.

Also, an Act to amend section 4793 of the Code.

Also, an Act to prohibit the adulteration of spirits of turpentine.

An Act to amend Article 7, section 1 of the Constitution relative to taxation.

An Act to authorize administrators and executors to charge for making bond.

An Act to amend an Act establishing a new charter for Gainesville.

An Act to amend an Act establishing a dispensary at Hogansville.

An Act amending an Act creating the Prison Commission of Georgia.

An Act to alter and amend paragraph 1, article 8, section 4 of the Constitution.

Also, an Act to employ the officers and employees of the penitentary of Georgia.

AnAct to amend section 4868 of the Code,

An Act to provide in which county manufacturers shall pay taxes when their property is in more than one county

An Act to amend section 982 of the Code providing that not more than two banks shall be made State depositories in towns of 6,500 inhabitants.

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An Act to create a new charter for the town of Nichol

An Act to require the ordinaries of their counties to keep list of pensions.

An Act to amend sub-section 4082 of the Code.

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Also, the following resolutions:

A resolution for the relief of J. K. McAfec, J. R. Grice and W. H. Raley

A resolution to appoint a committee to act with the State School Commission relative to changes in the school laws.

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A resolution appointing a committee to investigate lobbying.

A resolution relative to certain claims of the Sims family against the Northeastern Railroad.

A resolution appointing a committee to visit the University during commencement.

A resolution directing the State Printer to print and bind certain Goorgia Reports.

Respectfully submitted.

W F Symons, Chairman.

The following resolutions were adopted:

## By Mr. Hudson-

A resolution extending thanks to Mr. Horgett for courteous attention.

## By Mr. Tisinger-

A resolution extending thanks to Hon. J. W. Green for faithful service.

On motion the Senate adjourned sine die.

TO

# SENATE JOURNAL

1903

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